

## History of Farm to School in the Healthy Schools Act



### **Mary Cheh's Vision**

Ward 2 Councilmember Mary Cheh was the Chair of the Committee on Government Operations and the Environment in 2009 when she decided to gather community input regarding a law that would improve the health and well-being of the District's schoolchildren. The D.C. Farm to School Network was among the many organizations that gave her team brainstormed ideas for the bill, and began the process of working with Councilmember Cheh's office to create a new law.

### **Farm to School Priorities**

Andrea Northup, Coordinator of the D.C. Farm to School Network, galvanized the Network's constituents to articulate the policy needs of the farm to school community. She got feedback from stakeholders via emails, conversations, surveys and meetings about what problems and barriers to farm to school programs could be alleviated by policy solutions. She gathered models of farm to school legislation from around the country, and spoke with other farm to school leaders to determine what policies worked in other localities. She also collaborated with organizations in Washington, DC working on similar issues of child health and nutrition to align policy priorities across multiple sectors.

After discussions with constituents and Council staff, the D.C. Farm to School Network published policy recommendations for the Healthy Schools Act in early 2010. These recommendations included the components that remained in the final version of the bill, among others.

### **Introducing the Act**

The first draft of the Healthy Schools Act was drafted and distributed to organizations and individuals for input and feedback. This document contained the basic ideas of what the bill would cover, without implementation details or budgetary considerations. The draft was then formulated into a bill, incorporating community feedback and suggestions.

Council Member Mary Cheh and then Council Chairman Vincent Gray introduced the bill jointly and filed it with the Secretary to the Council on December 9, 2009. Thus, the document became an official bill (or proposed law) entitled the Healthy Schools Act of 2009. It included five sections, each addressing different aspects of school health and wellness: School Nutrition, Farm to School, Physical & Health Education, Environment, and Health & Wellness.

### **Working Group Meetings**

Then Council Chairman referred this bill to the Committee on Government Operations and the Environment. Since Mary Cheh was the chair of that Committee, her office was able to make further changes to the bill and solicit more community input. Beginning in January of 2010, the Committee convened a series of informal working group meetings with interested stakeholders, each meeting focused on a different section of the Healthy Schools Act. A variety of

community members, non-profit organizations, state agencies and others convened to weigh in on the practical considerations of the bill's language and implementation.

## **The Healthy Schools Act Becomes Law**

On March 26, 2010, the Committee on Government Operations and the Environment and the Committee of the Whole conducted a joint hearing on the act. The Committees received testimony from residents and government officials in support of and against the Bill, including dozens of farm to school stakeholders. A few weeks later, the Committee on Government Operations and the Environment conducted a formal mark-up and vote on the revised bill, followed by a mark-up and vote by the Committee of the Whole. Afterward, the Council voted for the bill twice. The bill went to the Mayor to sign, and then without opposition from U.S. Congress, 30 legislative days later the bill became a law.

## **Funding the Healthy Schools Act – Soda Tax**

Shortly after the law was passed, a fiscal impact statement projected the funding the bill would require from the local budget. The total bill was expected to cost about \$6 million per year. The farm to school section of the bill was estimated to cost just over \$700,000 each year, to cover the five-cent per meal reimbursement for schools that serve healthy, local foods in school meals.

The next task for the Council was to find funding for the bill. Councilmember Cheh proposed raising money for the Healthy Schools Act by placing a penny-per-ounce tax on soda and other sweetened beverages that would be levied directly on soda manufacturers doing business in the District of Columbia. Intense lobbying efforts by Coca Cola and Pepsico swayed Councilmembers against the direct excise tax on soda, because soda consumption would decrease as a result of the higher soda prices they would charge.

Instead, Councilmember Cheh proposed extending the Washington, DC's 6% sales tax to include soda and other sweetened beverages. This version of the soda tax appeased the soda companies, because the tax would be levied directly on consumers at checkout and would not affect the shelf price. The D.C. Farm to School Network and a coalition of other organizations in the area coordinated call-ins, meetings with Councilmembers, petitions and testimony to assure that this dedicated soda tax funding was included in the budget. The funding was secured by a vote on May 26, 2010 when the Council approved the FY2011 D.C. budget.

## **Budget Cuts**

Mayor Fenty proposed to cut funding for the Healthy Schools Act from the FY2011 budget as part of his Budget Gap-Closing Plan in 2010. Farm to school stakeholders and other supporters of the act testified against this funding cut at multiple budget hearings. The D.C. Farm to School Network and other community partners coordinated countless calls, emails, and letters to the Council, while proponents of the act on the Council also put the pressure on. When the Council presented their revised version of the budget to the Mayor, funding for the Healthy Schools Act in the FY2011 budget was restored. Unfortunately other areas of the budget received harsh cuts.

## **Implementation**

State agencies, community partners, and schools set out to begin implementing the Healthy Schools Act in August of 2010. For many schools, it was a challenge to build the systems and partnerships to come into compliance with the new nutrition requirements for school meals. But

advocates, students and parents saw marked changes in the healthiness of school meals, and schools were pleased with financial incentives to help them reach the new guidelines.

In December of 2010, Councilmember Mary Cheh held an implementation hearing to get feedback and input about how the Healthy Schools Act was working in the community. School staff, community partners and government organizations testified with descriptions of how the act was working and how it could be improved.

### **Healthy Schools Act of 2011**

In early 2011, Councilmember Cheh's office held another series of working group meetings to inform an amendment to the act. In March 2011, the Healthy Schools Act of 2011 was introduced make a series of technical amendments. The proposed changes specific to farm to school specified that local milk would no longer counts for the farm to school reimbursement of 5 cents per meal (if that meal includes a fresh, local component) and that the farm to school reimbursement can be for a breakfast or lunch meal. After series of working group meetings this Spring and a public hearing in May, the act passed through the Government Operations and the Environment Committee. It passed through the full council in July and went into effect for the 2011/2012 school year.

### **For more information:**

[www.dcfarmtoschool.org/healthy-schools-act](http://www.dcfarmtoschool.org/healthy-schools-act)  
[www.healthyschools.org](http://www.healthyschools.org)  
[www.healthyschools.marycheh.com](http://www.healthyschools.marycheh.com)

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Learn more at [www.dcfarmtoschool.org](http://www.dcfarmtoschool.org).

