NATIONAL FARM to SCHOOL NETWORK

Center for Agriculture & Food Systems
VERMONT LAW & GRADUATE SCHOOL

FARM TO SCHOOL POLICY CASE STUDY

Arizona

H.B. 2518: Easing the Journey from School Garden to Cafeteria

Raina Goldstein Bunnag | March 2025

Introduction

School gardens offer a great opportunity to connect the garden to the cafeteria with fresh produce. This allows students to eat what they grow, which has been shown to have several benefits, including increasing children's fruit and vegetable consumption and willingness to try new foods.[1, 2] Utilizing the garden in this way can also increase staff and parent buy-in for the school garden, resulting in more support for a sustainable program.

School garden programs across the country have experienced success through partnerships with cafeterias, yet this approach is underutilized. While the United States Department of Agriculture (USDA) allows produce from school gardens to be used in school meals, some states and districts disallow or discourage it due to food safety concerns.[3]

To address this issue, state laws and regulations can provide permission for schools to integrate school garden produce into their cafeterias. In 2016, Arizona farm to school supporters worked together to pass H.B. 2518 and developed a statewide food safety certification program for produce from school gardens.

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Arizona's Approach

Inconsistent messaging and regulations throughout the state urged an informal coalition of Arizona farm to school stakeholders to seek a statewide policy for school garden food preparation. For example, staff at one school were preparing their first garden harvest in the school kitchen when a visiting county health inspector told them the produce could not be served because it was not explicitly included in their established food safety plan. The staff were unaware that the county food preparation regulations required distinct processes for school garden produce.

The coalition's goal was to create a policy that would provide uniform guidance to school staff and increase opportunities for using produce from school gardens in the cafeteria. Their approach was to exempt school garden produce from the rigorous state food safety guidelines intended for larger scale commercial food preparation. The coalition understood that this type of policy did not require a funding request from the legislature, which improved the likelihood that it would pass.

Finding Common Ground

Policy development started with coalition meetings that included representatives from schools, state agencies, local governments, farmers markets, and the food industry, some of whom opposed the exemption. The coalition also included a state legislator with a passion for school gardens who was instrumental in convening the group.

Opposition within the coalition revolved around food safety concerns. The Arizona Department of Health Services (ADHS) was concerned that an exemption would eliminate the oversight needed to ensure that food prepared from school gardens would be safe. Additionally, a food industry group worried that any incidence of foodborne illness from school gardens might influence the public's opinion about the general safety of fresh produce and reduce the public's confidence in school gardens generally.

The coalition reached consensus through a compromise in which ADHS would retain oversight by implementing a mandatory no-cost certification process for schools to serve their garden produce in school meals. This fulfilled the primary policy goal of decreasing barriers to using school garden produce while also maintaining food safety.

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Crafting the Bill

The final bill language was short and simple, exempting "a whole fruit or vegetable grown in a public school garden that is washed and cut on-site for immediate consumption" from state food safety rules but allowing ADHS to create its own exemption process.[4] The coalition determined that additional language was unnecessary to achieve the policy goal.

Determining where the food safety exemption should be placed in Arizona law was one of the more challenging parts of this process. The exemption could have fit into several titles, such as Agriculture or Education, and the coalition considered which title would best meet their goals and garner the most legislative support. The team ultimately decided on Title 36, Public Health and Safety. Determining the specific section within the title required more deliberation, including one unsuccessful bill attempt.[5] The final bill that passed, H.B. 2518, placed the exemption in the section of the law that outlined the power and duties of the ADHS director.[6]

Policy Implementation

ADHS school garden certification now requires a site visit and food safety plan and includes technical assistance.[7] Since the bill was signed into law in 2016, 79 schools have been certified by ADHS, with 25 maintaining certification as of summer 2024. Anecdotally, schools are most likely to continue certification and serve their produce in the cafeteria when they have a school garden coordinator position and a high producing garden.

The policy has allowed schools the flexibility to tailor the foods they grow and serve to fit their unique school community. For example, a non-profit organization facilitated a new community partnership where local chefs trained one school's cafeteria staff to integrate their garden produce into scratch-made school meals. Another program, administered by a school district, teaches students to grow a variety of regional cultural foods that are both served in school meals and sent home in educational meal kits for the family to prepare.[8]

While not all school garden programs have the capacity to serve their food in the cafeteria, the state policy has increased overall support for farm to school initiatives. The bill shines a light on these programs, which has led to increased interest from schools and districts. For instance, one former school nutrition manager reported that following the bill's passage, her school's administration initiated new discussions about local food in school meals.

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Takeaways

1. ENGAGE A WIDE RANGE OF STAKEHOLDERS—EVEN OPPOSING GROUPS—EARLY IN THE PROCESS

The coalition included representation from various sectors, which broadened support for the bill. Involving opposition groups in the drafting allowed for the relationship building needed to create an effective compromise. Additionally, collaboration with the state agency responsible for implementation allowed for a stronger policy that met mutual goals. Taking the time and effort to create a broad coalition from the beginning can increase the likelihood of successfully enacting a policy and implementing it.

2. BE STRATEGIC ABOUT LANGUAGE SPECIFICITY IN A POLICY

The new school garden certification process was not included in the bill language. This allowed ADHS the flexibility to adjust the process as needed. Including unnecessary details in legislation can cause unanticipated restrictions during implementation.

3. CONSIDER IMPLEMENTATION DURING POLICY DEVELOPMENT

ADHS, which has food safety expertise, implemented the school garden certification process. However, policies are not always implemented by groups that have expertise in the issue area. Creating an implementation outline or toolkit during policy development makes it more likely that the policy is implemented as intended.

4. NON-MONETARY STATE POLICIES CAN PROVIDE STRUCTURES OF PERMISSION TO STRENGTHEN FARM TO SCHOOL

Arizona's H.B. 2518 removed a specific barrier and gave clear guidance for schools looking to create holistic farm to school programs by integrating garden-based education with the cafeteria. Another example of this policy strategy is Indiana's H.B. 1320 (2022), which allows school nutrition programs to use $10,000 from their procurement budget to purchase food from school gardens and other youth agricultural education programs.[9] In states that do not typically provide funding for farm to school, non-monetary measures act as key stepping stones to build capacity and create conditions for increased local and state support in the future.

Acknowledgments

Thank you to the Pinnacle Prevention team, which includes Rachel Gomez-Acosta, Jessie Gruner, and Adrienne Udarbe, Paige Mollen from the Mollen Foundation, and Arizona Department of Health Services staff for generously taking the time to share their experiences.

Thank you to Cassandra Bull from National Farm to School Network and Lihlani Nelson and Wendy Chen from the Center for Agriculture and Food Systems at Vermont Law and Graduate School for their contributions and mentorship, and thank you to Laurie Beyranevand (CAFS), Austin Price (CAFS), and Karen Spangler (NFSN) for their review of this case study.

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Endnotes

1 *Why Garden with Kids?*, KidsGardening, https://kidsgardening.org/why-garden-with-kids/ (last visited Jan. 10, 2025).

2 Timothy P. Holloway et. al, *School Gardening and Health and Well-Being of School-Aged Children: A Realist Synthesis*, 15 *Nutrients* 1193 (2023), https://www.mdpi.com/2072-6643/15/5/1190. (2023, February 27).

3 *Food Safety Tips for School Gardens*, USDA (Feb. 2016). https://fns-prod.azureedge.us/sites/default/files/resource-files/school-gardens.pdf.

4 Ariz. H. R. 2518, 52nd Leg., 2nd Sess. (Ariz. 2016).

5 Ariz. S. 1004, 52nd Leg., 2nd Sess. (Ariz. 2016).

6 Ariz. Rev. Stat. § 36-136.

7 *School Garden Program*, Arizona Department of Health Services, https://www.azdhs.gov/preparedness/epidemiology-disease-control/food-safety-environmental-services/index.php#school-garden-program-home (last visited Jan. 10, 2025).

8 *Cultivating Learning in Tucson Unified's School Gardens*, Tucson Unified School District (Apr. 04, 2024), https://www.tusd1.org/story-20240404-school-gardens.

9 Ind. H.R. 1320, 122nd G.A., 2nd Sess. (Ind. 2022).

Photos courtesy of Paige Mollen of the Mollen Foundation (p. 1), James Lang of Concordia Charter School (pp. 2, 3, 5), and Rachel Gomez-Acosta of Pinnacle Prevention (p. 4).