

TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY

CHAPTER 40. MARKET DEVELOPMENT

SUBCHAPTER 18. LOCAL FOOD FOR SCHOOLS

35:40-18-1. Purpose

The purpose of the Oklahoma Local Food for Schools Program is to maintain and improve food and agricultural supply chain resiliency.

35:40-18-2. Definitions

The following words or terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

“Applicant” means a person who is requesting grants from the Oklahoma Local Food for Schools Program Fund.

“Application” means a form provided by the Department, that is used to request funds in the form of a grant.

“Contract” means a signed agreement between the Oklahoma Department of Agriculture, Food and Forestry and the grantee outlining the terms and conditions of the grant, including all other guidelines.

“Grant” means a sum of money given by the Oklahoma Department of Agriculture, Food and Forestry for a particular purpose.

“Grantee” means the legal entity to which a grant is awarded and that is accountable to the Oklahoma Department of Agriculture, Food and Forestry for the use of the funds provided.

“Market value” means the price that a property would sell for in a competitive market under fair conditions.

“Minimally processed” means food that has been processed in a way that doesn't significantly change its fundamental properties.

35:40-18-3. Eligibility

In order to be eligible for funding through the Local Food for Schools Program, the applicant shall be a public-school district accredited by the Oklahoma State Department of Education.

35:40-18-4. Application Process

(a) Applications shall be electronically submitted to the Department on a form designated by the Department.

(b) Applicants may only apply for funding once a month and only if all previously allocated funding was used.

(c) Applicant may request a minimum of five thousand dollars (\$5,000.00) per month with a maximum request of twenty-five thousand dollars (\$25,000.00) per month. Requests shall be submitted in five-thousand-dollar (\$5,000.00) increments.

35:40-18-5. Criteria for Allowed Purchases

- (a) Food shall be minimally processed items including but not limited to ground beef, bacon, fresh fruits and vegetables, dairy products, nuts, and honey.
- (b) Food shall be grown/raised and harvested/processed within the State of Oklahoma.
- (c) Live animals may be purchased for market value, on the day of purchase, for processing by a licensed processor. Funding through the Local Food for Schools Program may be used to cover processing fees if the processor is licensed by the Department or Federal government. To purchase a live animal an applicant shall submit three bids for processors, submit a written statement on why the applicant selected a specific processor, and obtain prior approval from the Department to purchase the live animal.
- (d) Processed items including but not limited to chicken nuggets, jelly, bread, are not allowed.
- (e) High end items including but not limited to ribeye are discouraged.
- (f) Schools shall disclose any conflicts of interest to the Department, if the school or the person running the program for the school has a personal interest in the items purchased from a vendor. Conflicts of interest will be reviewed by the Department for approval.

35:40-18-6. Use of Food Purchased Through the Program

- (a) Food purchased through this program shall be served to students.
- (b) Food served through this program shall take place in the cafeteria when school is in session during the calendar year, including summer feeding programs.
- (c) Food purchased through this program cannot be served in a concession stand, sporting events, teacher/board appreciation events, or other similar events.

35:40-18-7. Supplemental Program Information

- (a) Following approval of the application, a contract shall be executed between the Department and the grantee. The Department shall not disburse grant funding to the grantee until the contract is executed and a purchase order is in place with the Department.
- (b) The grantee shall not expend funds for items until after receiving preapproval for items.
- (c) Approved applicants can only purchase items from the Department's approved vendor list. Vendors can be added to the list by submitting a request to the Department for approval. Upon approval by the Department a vendor will be added to the vendor list.

35:40-18-8. Reimbursements

Recipients that received funding through the Oklahoma Local Food for Schools Program, shall provide the following information in order to receive payment:

- (a) Invoices and proof of payment by applicant shall be submitted to the Department by the end of the contract period.
- (b) Reimbursement for items purchased will be sent to the school address listed in the contract.
- (c) Purchase orders shall include three written bids with a justification for choice if lowest price isn't chosen. The written bids are to be submitted with the invoice and purchase order.
- (d) Invoices and payments are subject to the Department's approval. The Department holds the right of refusal if invoice does not match the preapproved items.
- (e) The maximum amount of funding an Applicant can receive in a fiscal year is one hundred thousand dollars (\$100,000.00).