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CONSENT CALENDAR
 May 11, 2021

To: Honorable Members of the City Council
 From: Councilmember Sophie Hahn (Author), Councilmember Kate Harrison (Cosponsor), and Mayor Jesse Arreguin (Cosponsor)
 Subject: Resolution in support of AB 1289, Smart Climate Agriculture Program and AB 558, California School Plant-based Food and Beverage Program

RECOMMENDATION

Adopt a resolution in support of Assembly Bill 1289, Smart Climate Agriculture Program and Assembly Bill 558, California Plant-based Food and Beverage Program.

BACKGROUND**AB 1289, Smart Climate Agriculture Program**

Existing law requires the Department of Food and Agriculture to promote and protect the agricultural industry of the state. The Cannella Environmental Farming Act of 1995, requires the department to establish and oversee an environmental farming program to provide incentives to farmers whose practices promote the well-being of ecosystems, air quality, and wildlife and their habitat.

AB 1289 would establish the Smart Climate Agriculture Program under the administration of the department.¹ As part of the program, the bill would require the department to, among other things, provide grants to persons farming on small to midsize farms to transition the use of the land from raising livestock or growing feed crops to plant-based agriculture and to provide technical assistance to those persons with regard to the program. The bill would require a person who receives a grant to provide a report, in consultation with a specified technical assistance provider, to the department that demonstrates that the person is transitioning to plant-based agriculture.

California has some of the world's most productive agricultural lands.² However, studies reveal that large portions of agricultural lands across the United States are predominantly used to cultivate feed crop for livestock. According to the U.S.

¹ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1289

² https://socialcompassioninlegislation.org/wp-content/uploads/2021/02/AB-1289_Smart-Climate-Agriculture-Program_03-29-21.pdf

Department of Agriculture, crops like corn, barely, oats, and sorghum are frequently used to feed livestock throughout the country, with 36% of corn crops and 75% of soybean going directly to farms to feed livestock.

The state has seen a notable increase in field crops like haylage, greenchop, and alfalfa, which are cultivated and used to feed livestock. These field crops are predominantly in areas of the state where there are dairy farms or feedlots.

GHG emissions, like methane and nitrous oxide, from animal agriculture are a significant contributor to climate change. Animal agriculture contributes an estimated 14.5 percentage of the world's total anthropogenic GHG emissions. In addition, the amount of GHG emitted from manure storage and enteric fermentation has increased, contributing to rising GHG levels.

Although federal agencies and state governments have supported methane digesters to help reduce GHG emissions, digesters are costly. Methane digesters have also inadvertently contributed to polluting our air and water systems.

Despite dairy being one of the largest segments of the livestock industry, farmers are experiencing a decline in demand due to overproduction, international competition, industry consolidation, and milk alternatives. As a result, farmers are incurring debt and struggling to keep their businesses operating.

Family farms that have transitioned from livestock, dairy, or crop feed farming to plant-based crops have been able to generate new job opportunities and business growth as the market for plant-based products continues to grow—a \$5 billion industry that some experts say could be worth \$85 billion by the year 2030.

As the world seeks to feed a growing population with our global population reaching 8.6 billion people by the year 2030 and 9.8 billion by the year 2050, plant-based farming can support the future demands placed on our food supply. Expanding the supply of locally grown fruits and vegetables can provide greater distribution to communities that are located in food deserts. According to a number of studies, plant-based diets help lower cholesterol, increase the consumption of naturally occurring vitamins and minerals, and lower the risk of chronic health conditions.³ By increasing supplies of plant-based foods, Californians can generate more healthful food options.

AB 1289 will keep small and mid-sized farms in operation as smart climate agriculture. In doing so, the state can diversify its working lands, increase agricultural revenue, and make California a leader in supplying and processing plant-based foods and products. AB 1289 is sponsored by Social Compassion in Legislation and The Good Food Institute.⁴

³ http://www.responsiblepurchasing.org/purchasing_guides/food/climate_friendly_food_purchasing.pdf

⁴ https://socialcompassioninlegislation.org/wp-content/uploads/2021/02/AB-1289_Smart-Climate-Agriculture-Program_03-29-21.pdf

AB 558, California Plant-based Food and Beverage Program

Existing law requires each school district or county superintendent of schools maintaining kindergarten or any of grades 1 to 12, inclusive, and each charter school to provide for each needy pupil one nutritionally adequate free or reduced-price meal during each school day. Existing law sets the reimbursement rates for free or reduced-price meals served to needy pupils at specified amounts.

AB 558 would establish within the State Department of Education the California School Plant-Based Food and Beverage Program.⁵ The bill would authorize a local educational agency, as defined, to apply for funding, upon appropriation by the Legislature, for reimbursement of up to \$0.20 per meal for meals that include a plant-based food option, as defined, or up to \$0.10 per meal for meals that include a plant-based milk option, as defined, or both. The bill would require the department to make additional one-time payments of up to \$1,000, as specified, on a first-come-first-served basis to local educational agencies that receive meal reimbursement pursuant to the bill's provisions. The bill would also require the department, upon a one-time appropriation by the Legislature, to provide grants of up to \$100,000 to local educational agencies for additional purposes relating to the program. The bill would authorize the department to accept funding from private sources for the purpose of providing reimbursements or grants pursuant to these provisions. It would also require the department to adopt regulations to implement the program, establish guidelines for the evaluation of the program, report evaluation results to the Legislature, and conduct outreach.

AB 558 would incentivize healthy, climate friendly meals in California's public schools by providing an additional reimbursement to schools that serve a plant-based entrée or milk option.⁶ Implementing a plant-based meal or a milk alternative in one's diet has both health and environmental benefits. Agriculture (excluding processing) generates 8% of California's greenhouse gas emissions, with livestock production accounting for two-thirds of those emissions, and 55% of the state's methane emissions. Animal foods generally have a significantly higher carbon footprint than plant-based foods. This is primarily due to methane emissions from the animal's digestive process and waste management, as well as nitrous oxide emissions from feed production.

California can improve student health while reducing greenhouse gas emissions associated with the estimated 540 million school lunches served each year by incentivizing more plant-based school meals.

A pilot analysis of Oakland Unified School District conducted by Friends of the Earth documented a 14% reduction in carbon emissions and a 6% reduction in water use as a result of the district reducing its meat and dairy purchases over the course of two years. Student satisfaction increased by 23%, demonstrating that it is possible to serve meals that are better for student health, better for the climate, and still delicious. Numerous

⁵ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB558

⁶ <https://socialcompassioninlegislation.org/wp-content/uploads/2021/03/AB-558-Fact-Sheet-1.pdf>

school districts across the state have also been increasing plant-based offerings but often face cost barriers since animal-based foods and cow's milk are heavily subsidized by the federal government relative to plant-based foods and plant-based milk options.

AB 558 will enable these school districts to accelerate their shifts to healthy, climate-friendly menus by mitigating costs of healthy, plant-based meals. It will also provide support for staff training, student engagement, recipe development, and other technical assistance needed to help schools boost participation rates and successfully serve plant-based foods in all of California's public schools.

California's Fresh Start Pilot Program provided an extra reimbursement to schools to incentivize serving fresh fruits and vegetables. AB 558 replicates this proven successful model to encourage serving more healthy and climate-friendly meals, helping achieve climate goals while simultaneously improving students' health and supporting animal welfare.

AB 558 is sponsored by Social Compassion in Legislation and Friends of the Earth, among other organizations.⁷

FISCAL IMPACTS

None

CONTACT INFORMATION

Vice Mayor Sophie Hahn, Council District 5, 510-682-5905 (cell)

ATTACHMENTS

1. Resolution
2. Text of AB 1289
3. Text of AB 558

⁷ <https://socialcompassioninlegislation.org/wp-content/uploads/2021/03/AB-558-Fact-Sheet-1.pdf>

RESOLUTION NO. ##, #####-N.S.

IN SUPPORT OF AB 1289 SMART CLIMATE AGRICULTURE PROGRAM AND
AB 558 CALIFORNIA SCHOOL PLANT-BASED FOOD AND BEVERAGE PROGRAM

WHEREAS, the food sector is a significant contributor to global greenhouse gas (GHG) emissions, with livestock production accounting for 14.5% of global GHG emissions, and the United Nations recognizing that “Livestock are one of the most significant contributors to today’s most serious environmental problems;” and

WHEREAS, greenhouse gas emissions from plant-based protein foods such as beans, lentils, peas and tofu are considerably lower than those from beef, pork, cheese and other animal products; and

WHEREAS, a diet high in plant-based foods and low in meat is recognized by leading experts to reduce risks of cardiovascular disease, obesity, hypertension and diabetes, and more than two thirds of adults and nearly a third of children and teens are overweight and obese in the United States, and obesity is associated with a higher risk of various health ailments including heart disease and type-2 diabetes; and

WHEREAS, Americans eat, on average, significantly more meat and significantly less plant-based food than is recommended by the Dietary Guidelines for Americans jointly developed by the United States Department of Agriculture and the Department of Health and Human Services; and

WHEREAS, the State of California has some of the world’s most productive agricultural lands; and

WHEREAS, Family farms that have transitioned from livestock, dairy, or crop feed farming to plant-based crops have been able to generate new job opportunities and business growth as the market for plant-based products continues to grow; and

WHEREAS, AB 1289 will help keep small and mid-sized farms in operation in profitable and climate friendly plant-based agriculture, allowing the state to diversify its working lands, increase agricultural revenue, and make California a leader in supplying and processing plant-based foods and products; and

WHEREAS, California can improve student health while reducing greenhouse gas emissions associated with the estimated 540 million school lunches served each year by incentivizing more plant- based school meals; and

WHEREAS, AB 558 will enable California school districts to accelerate their shifts to healthy, climate-friendly menus by mitigating costs of healthy, plant-based meals, and will also provide critical support for staff training, student engagement, recipe development, and other technical assistance needed to help schools boost participation rates and successfully serve plant-based foods in all of California’s public schools; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that it hereby supports Assembly Bill 1289 and Assembly Bill 558; and

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Gavin Newsom, State Senator Nancy Skinner, and Assemblymember Buffy Wicks.

AMENDED IN ASSEMBLY APRIL 8, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 1289

Introduced by Assembly Member Kalra

February 19, 2021

An act to add Article 7.5 (commencing with Section 540) to Chapter 3 of Part 1 of Division 1 of the Food and Agricultural Code, relating to agriculture.

LEGISLATIVE COUNSEL'S DIGEST

AB 1289, as amended, Kalra. Smart Climate Agriculture Program: plant-based agriculture.

Existing law requires the Department of Food and Agriculture to promote and protect the agricultural industry of the state. Existing law, the Cannella Environmental Farming Act of 1995, requires the department to establish and oversee an environmental farming program to provide incentives to farmers whose practices promote the well-being of ecosystems, air quality, and wildlife and their habitat.

This bill would establish the Smart Climate Agriculture Program under the administration of the department. As part of the program, the bill would require the department to, among other things, provide grants to persons farming on small to midsize farms to transition the use of the land from raising livestock or growing feed crops to plant-based agriculture and to provide technical assistance to those persons with regard to the program. The bill would require a person, as a condition of receiving a grant, to agree to use the land described in the grant application for plant-based agriculture for a period of time determined by the department and *person who receives a grant* to provide a report, in consultation with a specified technical assistance provider, to the

AB 1289

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department that demonstrates that the person is transitioning to plant-based agriculture.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:

3 ~~(1) There are growing concerns around~~ *The state faces*
4 *challenges in addressing climate change, preserving and protecting*
5 ~~groundwater,~~ *preserving and protecting the state's agricultural*
6 *working lands, and helping at-risk farmers keep their businesses*
7 ~~and keep up with the growing demands of food production.~~ *food*
8 *consumption demands of a growing population.*

9 (2) The Legislature has taken significant steps towards
10 establishing policies and programs to preserve and protect the
11 environment, combat climate change, provide for the health and
12 well-being of all people, and ~~show compassion to, and support for,~~
13 ~~the humane treatment of animals.~~ *support the state's farmers.*

14 (3) The state has some of the world's most productive
15 ~~agricultural lands and grows a significant amount of lands,~~
16 *representing a large fraction of the fruits, nuts, and vegetables for*
17 *grown in the United States. However, studies have illustrated that*
18 ~~large portions of agricultural lands across the United States are~~
19 ~~instead of feeding people, much of this production is used to~~
20 ~~cultivate feed crops for livestock. Corn, barley, oats, and sorghum~~
21 ~~are used to feed livestock and, according~~ *According to the United*
22 *States Department of Agriculture, 36 percent of corn grown in the*
23 *United States and 75 percent of soybeans grown in the United*
24 *States are used to feed livestock.*

25 (4) The state has seen a notable increase in the amount of land
26 devoted to the cultivation of field crops such as haylage, greenchop,
27 and alfalfa, which are ~~used to feed livestock. Millions of acres of~~
28 ~~land are used to grow these high water intensive crops. These field~~
29 ~~crops are predominantly grown in areas of the state where there~~
30 ~~are dairy farms or feedlots. Foraging lands are located across the~~
31 ~~state, but many of these lands are concentrated in places such as~~
32 ~~the San Joaquin Valley and Imperial County.~~ *predominantly grown*
33 *in areas of the state where there are dairy farms and feedlots.*

1 (5) Studies have shown that livestock and feed production are
2 contributors to ~~global warming~~ *climate change* through emissions
3 of ~~methane~~ *greenhouse gases such as carbon dioxide, methane,*
4 and nitrous oxide. By transitioning *livestock and feed crop farming*
5 to more plant-based agriculture, the state can reduce its emissions
6 of greenhouse gases, provide a sufficient supply of food for a
7 growing population, and diversify the agricultural lands of the
8 state.

9 (6) Plant-based agriculture can benefit society in various ways,
10 such as, by improving the health and well-being of all people by
11 promoting plant-based diets. An increase in plant-based agriculture
12 can help expand the supply of locally grown fruits and vegetables
13 and provide greater distribution of those fruits and vegetables to
14 inner-city food deserts. Studies have shown that plant-based diets
15 ~~have proven to~~ help lower cholesterol, increase the consumption
16 of naturally occurring vitamins and minerals, and lower the risk
17 of chronic health conditions. By emphasizing the importance of
18 plant-based foods, residents of the state can make ~~healthy~~
19 ~~to that will~~ improve their health.

20 (7) The current world population is 7.6 billion people, and is
21 projected to grow by 1.1 percent a year, with estimates reaching
22 8.6 billion people by the year 2030 and 9.8 billion by the year
23 2050. As the world population grows, plant-based agriculture can
24 help aide and support the future demands placed on our food
25 supply.

26 (8) Small to midsize family farms who transition from livestock,
27 dairy, or crop feed farming over to plant-based agriculture will
28 create job opportunities as market demand for plant-based products
29 continues to grow.

30 (b) (1) By keeping small to midsize farms in operation and
31 diversifying the state's working lands, it is the intent of the
32 Legislature to increase agricultural revenue in the state and help
33 the state become a leader in supplying and processing plant-based
34 foods and products.

35 (2) It is further the intent of the Legislature that it be the policy
36 of this state to adopt additional practices that will protect and
37 preserve the state's environment and natural resources as the
38 population continues to grow. By encouraging plant-based foods
39 and practices, the state can improve its efforts to implement this
40 policy.

1 SEC. 2. Article 7.5 (commencing with Section 540) is added
2 to Chapter 3 of Part 1 of Division 1 of the Food and Agricultural
3 Code, to read:

4

5 Article 7.5. Smart Climate Agriculture Program

6

7 540. For purposes of this article, the following definitions
8 apply:

9 (a) “Expert assistance” means assistance from an agricultural
10 scientist, climatologist, pedologist, horticulturist, hydrologist, or
11 agronomist for assessment, design, planning, and best management
12 practices of a land-use transition to plant-based agriculture.

13 (b) “Feed crop” means a crop that is grown for livestock
14 consumption.

15 (c) “Livestock” means poultry, cattle, dairy cows, sheep, swine,
16 goat, or fish.

17 (d) “Plant-based agriculture” means any farming that uses ~~less~~
18 ~~water-intensive crops~~ *crops for growing inputs for plant-based*
19 *products* and does not include livestock farming, dairy, or any crop
20 production for livestock feed.

21 (e) “Program” means the Smart Climate Agriculture Program.

22 (f) “Technical assistance” means outreach, education, expert
23 assistance, legal support for contractual barriers, project planning,
24 project design, grant application assistance, *buyer expertise and*
25 *packaging assistance*, project implementation, or project reporting
26 assistance provided to a farmer to improve their successful
27 participation in the program.

28 (g) “Technical assistance provider” means resource conservation
29 districts, the University of California Cooperative Extension, and
30 nonprofit organizations, with demonstrated technical expertise in
31 designing and implementing agricultural management practices.

32 541. The Smart Climate Agriculture Program is hereby
33 established in the department. The department shall administer the
34 program and shall do all of the following as part of the program:

35 (a) Provide grants to persons farming on small to midsize farms
36 to transition the use of the land from raising livestock or growing
37 feed crops to plant-based agriculture.

38 (b) Develop best practices for transitioning land used for raising
39 livestock or growing feed crops to plant-based agriculture.

1 (c) Provide technical assistance, in consultation with technical
2 assistance providers, to persons farming on small to midsize farms.

3 (d) *Develop a rubric to prioritize applications for farmers to*
4 *transition to sustainable crops in the following order:*

5 (1) *Less water-intensive crops in high demand.*

6 (2) *Less water-intensive crops in low demand.*

7 (3) *High water-intensive crops in high demand.*

8 (4) *High water-intensive crops in low demand.*

9 542. The department shall require an applicant for a grant to
10 submit all of the following to the department in the application:

11 (a) A description of the land that will be transitioned from
12 raising livestock or growing feed crops to plant-based agriculture.

13 (b) A plan that demonstrates how the applicant will transition
14 the land described in subdivision (a) to plant-based agriculture
15 using the best practices developed by the department pursuant to
16 Section 541.

17 ~~(c) A description of how the transition of the lands described~~
18 ~~in subdivision (a) to plant-based agriculture will reduce emissions~~
19 ~~of greenhouse gases, improve soil quality, and reduce water~~
20 ~~pollution.~~

21 ~~(d)~~

22 (c) Any other information the department deems necessary.

23 543. The department shall require a person who receives a
24 grant ~~to do both of the following as a condition of receiving a~~
25 ~~grant:~~

26 ~~(a) Agree to use the land described in the grant application for~~
27 ~~plant-based agriculture for a period of time determined by the~~
28 ~~department.~~

29 ~~(b) Provide~~ *provide* a report, in consultation with a technical
30 assistance provider, to the department that demonstrates that the
31 grant recipient is transitioning to plant-based agriculture.

ASSEMBLY BILL

No. 558

**Introduced by Assembly ~~Member Nazarian~~ *Members Nazarian, Kalra, and Quirk-Silva*
(*Coauthor: Assembly Member Bloom*)**

February 11, 2021

An act to add Article 11.9 (commencing with Section 49569) to Chapter 9 of Part 27 of Division 4 of Title 2 of the Education Code, relating to school meals.

LEGISLATIVE COUNSEL'S DIGEST

AB 558, as introduced, Nazarian. School meals: plant-based food and milk options: California School Plant-Based Food and Beverage Program.

Existing law requires each school district or county superintendent of schools maintaining kindergarten or any of grades 1 to 12, inclusive, and each charter school to provide for each needy pupil one nutritionally adequate free or reduced-price meal during each schoolday. Existing law sets the reimbursement rates for free or reduced-price meals served to needy pupils at specified amounts.

This bill would establish within the State Department of Education the California School Plant-Based Food and Beverage Program. The bill would authorize a local educational agency, as defined, to apply for funding, upon appropriation by the Legislature, for reimbursement of up to \$0.20 per meal for meals that include a plant-based food option, as defined, or up to \$0.10 per meal for meals that include a plant-based milk option, as defined, or both. The bill would require the department to make additional one-time payments of up to \$1,000, as specified, on a first-come-first-served basis to local educational agencies that receive

meal reimbursement pursuant to the bill’s provisions. The bill would also require the department, upon a one-time appropriation by the Legislature, to provide grants of up to \$100,000 to local educational agencies for additional purposes relating to the program. The bill would authorize the department to accept funding from private sources for the purpose of providing reimbursements or grants pursuant to these provisions.

The bill would require the department to adopt regulations to implement the program, establish guidelines for the evaluation of the program, report evaluation results to the Legislature, and conduct outreach.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 11.9 (commencing with Section 49569)
2 is added to Chapter 9 of Part 27 of Division 4 of Title 2 of the
3 Education Code, to read:

4
5 Article 11.9. California School Plant-Based Food and Beverage
6 Program

7
8 49569. (a) There is hereby established within the department
9 the California School Plant-Based Food and Beverage Program.

10 (b) In making procurement decisions pursuant to this article,
11 local educational agencies are encouraged to give preference to
12 the purchase of plant-based food options and plant-based milk
13 options from California producers, when commercially available.

14 49569.1. (a) Upon appropriation by the Legislature in the
15 annual Budget Act or another statute for purposes of this section,
16 a local educational agency may apply for reimbursement in an
17 amount of up to twenty cents (\$0.20) per meal for meals that
18 include a plant-based food option and up to ten cents (\$0.10) per
19 meal for meals that include a plant-based milk option. A single
20 meal with both a plant-based food option and a plant-based milk
21 option is eligible to receive reimbursement for both options, not
22 to exceed the cost of the meal. The department shall pay the
23 reimbursement amounts in quarterly installments. Reimbursement
24 funds shall be deposited into the nonprofit school food service

1 account of the local educational agency. Reimbursement provided
2 pursuant to this section shall be in addition to any other state or
3 federal funding or reimbursement received.

4 (b) A local educational agency applying for the funds described
5 in subdivision (a) shall provide documentation of the number of
6 plant-based food options and plant-based milk options reimbursable
7 under the federal National School Lunch Program that the local
8 educational agency served in the baseline 2018–19 school year.
9 A local educational agency that does not provide this
10 documentation is not eligible for funding pursuant to this section.

11 (c) The funds described in subdivision (a) shall be available for
12 plant-based food options or plant-based milk options that represent
13 an increase from the number of reimbursable plant-based food
14 options or plant-based milk options served in the baseline 2018–19
15 school year, as demonstrated by the documentation required
16 pursuant to subdivision (b).

17 (d) Upon appropriation by the Legislature in the annual Budget
18 Act or another statute for purposes of this section, a local
19 educational agency that receives meal reimbursement pursuant to
20 this section shall receive an additional one-time payment of up to
21 one thousand dollars (\$1,000) for the costs of collecting the
22 2018–19 school year baseline data. The department shall make
23 one-time payments pursuant to this subdivision on a
24 first-come-first-served basis.

25 (e) (1) The department may limit the total amount of
26 reimbursements and payments provided pursuant to this section
27 to a total of three million dollars (\$3,000,000) per year.

28 (2) A limit established pursuant to paragraph (1) does not apply
29 to funding from private sources.

30 49569.2. (a) Upon a one-time appropriation by the Legislature
31 in the annual Budget Act or another statute for purposes of this
32 section, the department shall provide grants, in an amount of up
33 to one hundred thousand dollars (\$100,000), to local educational
34 agencies for any of the following:

35 (1) To contract with third parties for professional development
36 training for schoolsite staff on serving, including preparing,
37 procuring, advertising, and creating menus for plant-based food
38 options or plant-based milk options.

39 (2) To purchase cafeteria equipment to prepare plant-based food
40 options or plant-based milk options, as needed.

1 (3) To provide technical assistance and pupil engagement and
2 education on plant-based food options and plant-based milk
3 options, including providing taste tests, recipe development, and
4 culinary education.

5 (4) To provide additional compensation for additional work
6 relating to serving meals that include a plant-based food option or
7 a plant-based milk option pursuant to Section 49569.1, to the extent
8 that funding is made available in the grant for this purpose.

9 (b) Grants awarded for a purpose identified in subdivision (a)
10 shall be awarded on a competitive basis.

11 (c) In providing grants pursuant to this section, the department
12 shall give priority to local educational agencies with the largest
13 percentage of pupils eligible to receive free or reduced-price
14 lunches.

15 (d) (1) Before entering into a contract with a third party for
16 professional development training pursuant to paragraph (1) of
17 subdivision (a), a local educational agency shall complete
18 negotiations on the training with the schoolsite staff's exclusive
19 representative, as defined in Section 3540.1 of the Government
20 Code, if requested to do so by the exclusive representative.

21 (2) An employee shall not be required to attend professional
22 development training pursuant to paragraph (1) of subdivision (a)
23 for which the employee does not receive at least that employee's
24 regular rate of pay or that takes place outside of that employee's
25 normal working hours.

26 49569.3. The department shall do all of the following:

27 (a) Adopt regulations, as it deems necessary, to implement the
28 program established pursuant to this article.

29 (b) Establish guidelines for the evaluation of the meal
30 reimbursement and grant program.

31 (c) (1) Complete an evaluation of the meal reimbursement and
32 grant program and report the results of the evaluation to the
33 Legislature in compliance with Section 9795 of the Government
34 Code by September 1, 2025. The evaluation shall include the
35 number of local educational agencies that applied for and received
36 meal reimbursement and payments, the number of meals provided
37 by each local educational agency, the number of local educational
38 agencies that applied for and received grant funding, and the
39 manner in which local educational agencies used grant funds.

1 (2) The requirement for submitting a report imposed under
2 paragraph (1) is inoperative on September 1, 2029, pursuant to
3 Section 10231.5 of the Government Code.

4 (d) Conduct outreach, with special attention given to the local
5 educational agencies with the largest percentage of pupils eligible
6 to receive free or reduced-price lunches.

7 49569.4. The department may accept funding from private
8 sources for the purpose of providing reimbursements and payments
9 pursuant to Section 49569.1 or grants pursuant to Section 49569.2.

10 49569.5. For purposes of this article, the following definitions
11 apply:

12 (a) “Local educational agency” means a school district, county
13 office of education, or charter school maintaining kindergarten or
14 any of grades 1 to 12, inclusive, that participates in the federal
15 National School Lunch Program.

16 (b) “Nonprofit school food service account” has the same
17 meaning as defined in Section 210.2 of Title 7 of the Code of
18 Federal Regulations.

19 (c) “Plant-based food option” means a food that contains no
20 animal products or byproducts, including meat, poultry, fish, dairy,
21 or eggs, and that is recognized by the United States Department
22 of Agriculture as a meat alternate for purposes of the federal
23 National School Lunch Program.

24 (d) “Plant-based milk option” means a beverage that contains
25 no animal products or byproducts, including dairy, and that is
26 recognized by the United States Department of Agriculture as a
27 nondairy fluid milk substitute for purposes of the federal National
28 School Lunch Program.

29

30

31 **REVISIONS:**

32 **Heading—Lines 1 and 2.**

33

O