

# INSTITUTIONAL PROCUREMENT OF LOCAL FOOD: VERMONT POLICY SNAPSHOT

This snapshot is part of a six-state series exploring demand-side policies in New England that support public institutions' ability to increase purchases of local food. These **snapshots**, links to **resources**, a **regional report** with comparative findings and recommendations, a **database** and **scan** of all policies discussed, and other related information can be found on [FINE's policy page](#). These documents are current as of May 2019.

## KEY STATE LAWS AND INITIATIVES:

- **Vt. Stat. Ann. tit. 6, § 4719-4724: The Rozo McLaughlin Farm-to-school Program:**
  - **§ 4719:** Establishes a **farm to school program**, and sets a **state goal** of 50 percent local or regional food procurement and 75 percent school participation in an “integrated food system education program” by 2025.
  - **§ 4721:** Creates a **grant program** to fund equipment and other purchases for K-12 public schools and child care centers to increase use of local food.
  - **§ 4723:** Mandates **training and technical assistance** for K-12 public school food service and child care personnel to facilitate local procurement.
  - **§ 4724:** Creates a funded **Food Systems Administrator** position at the Vermont Agency of Agriculture, Food and Markets to facilitate institutional purchases of local food and administer the local food grant program to help increase access to commercial and institutional markets for Vermont producers.
- **Vt. Stat. Ann. tit. 10, § 330:** Establishes the Vermont Farm-to-Plate Investment Program (**Vermont Farm to Plate**) to create jobs in the food and farm economy, improve access to healthy local food, and increase economic development in Vermont’s food and farm sectors.
- **Vt. Stat. Ann. tit. 29, § 909:** Establishes a **purchasing preference**, all else being equal, for procurement of local food by state-funded institutions.
- **16 V.S.A. § 559:** Aligns the small purchase threshold for school food purchases with the federal threshold.
- **16 V.S.A. § 1264:** Establishes a 20% local procurement goal to be achieved by 2022 for all school boards in the state operating a school lunch, breakfast, or summer meals program.
- **2007 Vt. Adv. Leg. Serv. 38:** Requires that agencies work together to track local purchases made by state-funded entities.

## KEY PLAYERS:

Vermont boasts a robust network of nonprofit organizations working to increase both the accessibility of locally grown foods and the viability of farms throughout the state. Farm to institution purchasing is one of the key initiatives many of these groups work on. Vermont Farm to Plate plays an important role in coordinating communication between these organizations, through the [Vermont Farm to Plate Network](#). The [Vermont Agency of Agriculture, Food and Markets](#) (VAAF) works closely with advocates in the state on farm to institution efforts.

[Rural Vermont](#), [Vermont Businesses for Social Responsibility](#), and the [Vermont Sustainable Jobs Fund](#) (VSJF) were instrumental in advocating for the legislation that initially created Vermont Farm to Plate, which coordinates implementation of the [Farm to Plate Strategic Plan](#). In addition to other goals and projects within their organizations, the Northeast Organic Farming Association of Vermont ([NOFA-VT](#)) and [Shelburne Farms](#) have partnered to create [Vermont FEED](#), a project dedicated to increasing the growth of farm to school throughout the state. Vermont FEED coordinates the [Vermont Farm to School Network](#) which provides leadership, coordination, and advocacy to advance farm to school efforts, in collaboration with [partners across the state](#). NOFA-VT has taken the lead in expanding farm to school initiatives to include colleges, health care organizations, and other institutions. The [Vermont Food Venture Center](#), [Intervale Food Hub](#), [Green Mountain Farm to School](#), [Food Connects](#), and other food hubs and aggregators throughout the state support growers in sourcing to institutions by providing infrastructure and resources to engage in value-added processing, as well as distribution support. [Vermont First](#), a [Sodexo](#) program, provides data on local food purchases and furthers institutional procurement at Vermont state colleges. The [Vermont First Advisory Board](#), a group of diverse food systems stakeholders, provides guidance on implementing Vermont First's goals.

## BACKGROUND ON LOCAL PROCUREMENT INITIATIVES IN VERMONT:

Vermont's legislature enacted its first policy related to institutional procurement of local food, the Roza McLaughlin Farm-to-school Program, in 2007. Two years later, the legislature established the Vermont Farm-to-Plate Investment Program, now called **Vermont Farm to Plate**. These two policies set the framework for institutional procurement in the state. In subsequent years, the legislature enacted two demand-side policies that encourage or require action from a purchasing entity: a **purchasing preference** for all state-funded entities (2011) and a **small purchase threshold** directed at schools (2017). In 2017, Vermont increased the small purchase threshold for schools, enabling them to forgo the formal bidding process for food purchases up to \$25,000. This threshold was [further amended in 2019](#) to align with the federal small purchase threshold. Additionally, the **farm to school program** has been amended several times since its inception to modify existing language and add new components to the program, including providing resources for early childhood care providers. In 2019, the legislature passed an additional policy, creating a 20% local procurement goal for all schools in the state that operate a school meal program.

## CURRENT STATUS OF LOCAL PROCUREMENT IN VERMONT:

Vermont's initial local procurement policy, the Roza McLaughlin Farm-to-school Program, was created to formalize efforts to increase the utilization of locally grown products in Vermont's schools, improve agriculture and nutrition education, and expand an institutional market for local farms. The 2007 legislation also established a **grant program**, the first in the nation, providing funds for equipment,

resources, and training for farm to school activities. The legislation also mandated that **training and technical assistance** opportunities be provided for school food service personnel. In 2011, the **farm to school program** was amended to include a **Food Systems Administrator** position at VAAFM. This position was crafted to provide support and infrastructure within state government for the farm to school program and other institutional purchasing of local food. In 2017, the farm to school program was further amended to include a purpose and goals section: by 2025, 75 percent of Vermont schools should be engaged in integrated food system education that incorporates community-based learning and nourishing meals, and 50 percent of school food should be purchased from sustainable local or regional sources. Language in the grant program and the training mandate were also amended in 2017 to extend the opportunities provided by these policies to licensed or regulated child care providers.

The **farm to school program** has had a significant impact on the purchasing practices of Vermont schools. According to the 2018 [Vermont Integrated Food, Farm, and Nutrition Programming Data Harvest](#), more than 80 percent of Vermont's public K-12 schools currently participate in farm to school programming, and 55 percent are engaged in local food purchasing. At this time, only 6 percent of schools spend 50 percent or more of their food budget on locally grown products, though a third purchase more than 20 percent local food. Supporting these findings, Abbey Willard of VAAFM said, "Though the majority of schools are buying some local food, they're not buying 50 percent local. Right now, only about \$1.4 million a year of local product is being reported as purchased by schools. We know that buying local food has an economic benefit, but what we also know is that schools have the toughest budgets." The **grant program** has helped food service directors and child care program administrators access needed funds and resources to increase their institutions' purchases of local food and engage students with the source of their food. Additionally, the **training and technical assistance** provided for in the farm to school program supports robust and sustainable programs; VAAFM contracts this training through Vermont FEED and a network of nonprofit service providers.

One of the most impactful components of the **farm to school program** is the **Food Systems Administrator** position. The creation of this role has allowed for dedicated staff time within state government to help facilitate local purchasing by a variety of institutions. One example of the impact of this work in action was a forum put on by VAAFM and the VSJF in 2013 that brought together value chain facilitators, producers, and Sodexo's northeast supply management team. The goal of the event was to build connections, and to help producers understand Sodexo's procurement process and methodology. This event paved the way for many relationships and partnerships still in effect today, including the creation of Sodexo's Vermont First program. A similar event was later conducted for Vermont's health care sector. The Food Systems Administrator position has evolved since its inception and is now spread across a number of VAAFM employees that work directly with nonprofit partners, aggregators, distributors, and institutions to increase institutional procurement of local food in Vermont.

Two years after authorizing the **farm to school program**, the legislature created another program to stimulate the agricultural economy in the state, **Vermont Farm to Plate**. This legislation's three primary goals were to create jobs in the food and farm economy, improve access to healthy local food, and increase economic development in Vermont's food and farm sector. The legislation tasked the VSJF, in consultation with the Vermont Sustainable Agriculture Council, with creating a 10-year strategic plan for agricultural development in Vermont. Over an 18-month period, stakeholders throughout the state, coordinated by VSJF, established a [framework of 25 goals and strategies](#) to be achieved by 2020 that would strengthen Vermont's food system. The **second** of these 25 goals is focused specifically on increasing institutional purchasing, and several other goals are indirectly supportive. This framework has empowered public institutions and nonprofits throughout the state, as well as entities in the

private sector, to align themselves with the policy. As the end of the initially authorized 10-year period is nearing, reports are expected in the coming years, evaluating the impact of the program and considering its future. As of the date of publication of this document, the Vermont House was considering a [bill](#) to reauthorize Vermont Farm to Plate.

In 2011, the legislature enacted a **purchasing preference** policy that requires state agencies to purchase Vermont food and agricultural products over non-Vermont options when all else is equal between the options. The impact of this policy is somewhat difficult to measure because it does not specify a purchasing metric for state agencies to work toward. Additionally, Christa Alexander, co-owner of [Jericho Settlers Farm](#), said of the “all else being equal” provision, “It will never be equal because most farms in Vermont aren’t on a scale where they can compete with California or Quebec produce.”

Act 38 requires the tracking of local food purchases made by state-funded entities. Though Act 38 has not been codified, Vermont agencies still work to meet the goals and tracking objectives of the Act because doing so was the intention of the legislature. **Vermont Farm to Plate** has conducted several local food purchasing assessments relying on data from the state in 2010 and 2014. However, according to Vermont Farm to Plate Director, Jake Claro, the last iteration of the data in 2017 did not include any data from the state. “Between 2010 and 2014, based on the data provided to us by the state, local food purchases actually declined. And that could have been for a number of reasons, one of which just may have been the means of collection or general variability.” Vermont employs [one individual in the Agency of Administration](#) to handle all food purchases for the state, so a possible explanation for the lack of public reporting may be limited staff time, or the lack of a periodic reporting mandate in the statute’s authorizing language.

While Vermont’s **purchasing preference** focuses on Vermont-grown products, other policies consider regional purchases in addition to goods grown in Vermont. For example, the **Vermont Farm to Plate** definition of “local” for raw products includes a 30 mile-radius from Vermont’s border (manufactured or processed products must be manufactured or processed within Vermont). Willard said of the transition from considering a Vermont-centric food system to a more regional one: “We’re all a little reluctant and resistant to change at first, but when you realize that Boston considers Vermont products local to them, and that those metropolitan communities are a great customer base for Vermont producers, the concept of a New England or regional approach in farm to institution really starts to make more sense.”

Though Vermont has made significant steps to increase procurement of local food, there remain barriers. In particular, the geography and rural nature of many regions of the state can result in distribution challenges and high transaction costs. In part because of this, according to Willard, “There’s still some pretty healthy skepticism about the viability of institutional markets.” Some Vermont farms do rely on institutions as a steady portion of their business, along with other retail and wholesale markets.

## KEY TAKEAWAYS:

- The Rozo McLaughlin Farm-to-school Program's tangible goals, and the policy's inclusion of the **Food Systems Administrator** position, **training and technical assistance**, and **grant program**, have helped the program succeed in many ways in Vermont schools. Despite the numerous successes of the **farm to school program**, annual availability and sufficiency of funding remains a challenge, and ensuring funding is allocated for the program each year requires significant advocacy efforts.
- **Farm to school** initiatives do not always provide the volume and consistency required for farm viability and planning, and total local food purchases made by schools in Vermont are still relatively small compared with overall meal program spending. Though there are concrete actions that organizations in Vermont can take to provide additional support to further incentivize local purchasing, there also remain structural problems in how school food service budgets are constructed and administered.
- **Vermont Farm to Plate** has empowered the state, nonprofit entities, and the private sector to work together to significantly enable and enhance efforts related to institutional procurement of local food. According to Claro, "That's why policy is there. People are passionate about one or two things maybe. Policy helps guide people who say, 'I don't really have a lot of opinions or knowledge about this. Tell me how I should do it and then I can work with that. Give me certainty and standardization.'"
- The authorization for a **Food Systems Administrator** position enables dedicated staff time within VAAFm to provide support for farm to institution efforts throughout the state. Spreading the position across multiple roles may complicate management and reduce ownership, and therefore completion, of some tasks, such as regular data reporting.
- Sodexo's Vermont First program gives the state the ability to use state college food service contracting to influence private sector commitment to local procurement and investment in Vermont's communities and agricultural producers.
- Vermont's small population is an asset in accomplishing policy goals and building cohesion and consensus among stakeholders.

## RECOMMENDATIONS:

- The **Food Systems Administrator** duties are currently being carried out by a number of roles at VAAFm. The assignment of some duties, such as reporting, to a single individual may be beneficial. VAAFm is currently considering how these duties might be unified into one position, though the scope of work may be more than one individual can reasonably handle.
- The **purchasing preference** could be strengthened to make clear for purchasers how and when they should be preferring Vermont products, for example, through the use of an annual minimum purchase quantity, or a percentage price preference. Additionally, the reporting mandate for this policy should be strengthened to ensure that the legislature and the public are informed of the annual purchases of local food by state-funded entities in Vermont each year. Such data can also be used to determine where additional support and resources may be needed.
- To encourage more schools to engage in local procurement, the state could create an incentive program for local purchasing, possibly by providing an additional reimbursement to schools for purchases of local food.

- As of the date of publication, the Vermont legislature is continuing to consider **policies** targeted at increasing institutional procurement of local food. As they do so, the legislature should remember the importance of funded and staffed reporting and evaluation processes when crafting legislation.
- Vermont businesses, particularly those that offer seasonal positions, such as farms or campus dining, face staffing challenges and are struggling to retain employees. The state should continue to make training and technical assistance available to workers throughout the state, explore initiatives to ensure all Vermonters are paid a living wage, and find innovative ways to create year-round jobs with career paths for the future.

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- **Christa Alexander**, Owner, Jericho Settlers Farm

The analysis and recommendations in this snapshot do not necessarily reflect the entirety of the opinions of any of the contributors. Rather, individuals who provided insights and feedback for this project provided their expertise to specific portions of this document's contents. We have done our best to create an accurate representation of the information collected through research and interviews, and we welcome feedback on this product.

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To learn more about FINE's policy work, visit: [www.farmtoinstitution.org/projects#food-policy](http://www.farmtoinstitution.org/projects#food-policy)

To learn more about the Center for Agriculture and Food Systems at Vermont Law School, visit: [www.vermontlaw.edu/CAFS](http://www.vermontlaw.edu/CAFS)



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