POLICY MEMO

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GROWING FARM TO SCHOOL PROGRAMS ON THE NAVAJO NATION

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I. INTRODUCTION[1]

As the Navajo Nation works to improve the health and well-being of its people, "farm to school" programs present a promising opportunity to reintroduce traditional foods into children's daily diets, provide Navajo farmers with more income, and teach the next generation about food-centered Navajo celebrations, rituals and traditions. Farm to school can include a wide range of activities, from purchasing locally-grown foods to serve in school meals, to organizing field trips to local farms to learn about growing practices, to providing hands-on learning opportunities such as school gardens, cooking demonstrations, and taste tests.

Farm to school programs are cropping up quickly across the country; between 2014 and 2015, over 2,000 schools around the United States created farm to school programs.[2] Including locally-grown food in school meals improves children's diets while providing much-needed income for local farmers. On the Navajo Nation, work is already underway to connect schools with Navajo farmers and include lessons about traditional foods in the school curriculum.

At a Diné Policy Institute meeting in January 2016, representatives from Diné College shared their experience connecting farmers to local schools, a FoodCorps member shared his work to develop a Navajo traditional foods curriculum, and representatives from the Navajo Farmers and Ranchers Congress spoke about their plans to help Navajo farmers start selling to schools.[3] Given the strong coalitions and enthusiasm around increasing food sovereignty on the Navajo Nation, this is a key moment for the Navajo Nation government to support farm to school programs.

This memo will first discuss the benefits for schools, farms, and communities that will result from adopting farm to school programs. It will then explore the relevant tribal, federal (including Board of Indian Education), and state laws and policies relevant to farm to school programs. Next, it will highlight several successful tribal and state farm to school policies and programs as examples of how farm to school programs can take shape in different communities. Finally, the memo will recommend a number of strategies that the Navajo Nation government could adopt to support farm to school programs.

At the outset, we would like to thank the following individuals for taking the time to share their insights and experience for this memo: Kendal Chavez, New Mexico Farm to Table; Honorable Delegate Amber Kanazbah Crotty, Navajo Nation Council; Jessica Church & Maryann Durrant, Utah State Office of Education; Brooke Holiday, Tuba City Health Promotion Program; Sonlatsa Jim-Martin, COPE Project; Judie Keyonnie, Tuba City Health Promotion Program; Dr. Tommy Lewis, Navajo Nation Department of Diné Education; Karl Lohmann, McKinley Conservation Corp.; Gwen Riggs, Tuba City Health Promotion Program; Pam Roy, New Mexico Farm to Table; Sharon Sandman, Native American Producers Success Project; Ashley Schimke, Arizona Department of Education; Dr. Mark Sorensen, STAR School.

II. Benefits of Farm to School Programs

Educating students about where their food comes from and buying food from local farmers provide a multitude of benefits, including preserving cultural values, improving the nutritional value of school meals, and creating more income for local farmers.

A. Farm to School Promotes Cultural Values

The influence of the Western diet on the Navajo community has led to increased rates of obesity, diabetes, and other diet-related diseases.[4] At the same time, fewer young people know how to grow and prepare traditional foods, which are both health-promoting and culturally important to the Navajo people. Through teaching students about traditional food ways, farm to school programs can be a valuable "re-traditionalization" tool to teach students about both the value of healthy eating and the value of their native culture.[5] Many Native American farm to school programs include revitalizing traditional growing practices and learning about ceremonies that incorporate food.[6]

B. Improving the Nutritional Value of School Meals

Buying more locally-grown crops can help schools improve the nutritional quality of their meals. Children in the United States eat 19% to 50% of their total daily calories at school,[7] so improving school meals can make a big impact on their health. Schools are places of education, and should provide meals that teach students about healthy eating patterns, such as eating fruits and vegetables, which will benefit them into adulthood.

Recognizing the importance of school meals to children's health, the federal government updated the nutrition standards for the National School Lunch Program (NSLP) and School Breakfast Program (SBP) in 2012. The new standards increased the required amounts of whole grains, vegetables, and fruits.[8] The standards also required that schools must serve a wider variety of produce, including legumes and dark green, red, and orange vegetables.[9]

Outside of school meals, children can purchase food at schools in vending machines, a la carte in cafeterias, and at school fundraisers. For these foods, the USDA developed Smart Snacks in School nutrition standards, which require that the food be whole grain rich, have a fruit, vegetable, dairy product, or protein as a first ingredient, and not exceed calorie, sodium, fat, or sugar limits.[10] For the most part, Arizona,[11] New Mexico,[12] and Utah[13] school meal and snack nutrition standards mirror the federal standards.

Since creating farm to school programs, schools have noticed improvements in students' diets, lifestyle choices, and understanding of growing cycles and nutrition.[14] Teachers also benefit from farm to school programs as they can access the fresher, healthier foods in the school cafeteria.[15] Parents of students in schools with farm to school programs also find it easier to encourage their children to eat healthy at home, and have improved their own food buying and cooking habits.[16] Finally, school gardens can generate community excitement around creating community gardens or backyard gardens, leading to more families growing their own healthy food.

C. Benefitting Navajo Farmers

Local farmers experience many benefits from farm to school, including increased publicity of their farm in the school community,[17] additional income, and opportunities to collaborate with other farmers.[18] Given that tribal, state, and federal schools are some of the largest institutions on the Navajo Nation,[19] farm to school programs have the collective potential to create a huge market for Navajo farmers. As a result, such programs could enable local farmers to scale up production and make a viable living. Farmers who earn more also spend that money in the community, purchasing new equipment and supplies and bringing on additional farm workers as they scale up production. Thus, investing in Navajo farmers can benefit the Navajo Nation more broadly.

As of 2012 in the Navajo Nation, there were 2,768 farms operated by Navajo farmers with cropland entirely on the reservation.[20] These farms grow a variety of crops including traditional corn, legumes, oats, cantaloupes, a variety of squash, and watermelons.[21] Schools could buy these and many other traditional crops to meet the vegetable, fruit, and whole grain requirements for school meals, snacks, and fundraisers.[22] By doing so, schools could not only support local farmers but also provide healthier options for their students — fruits and vegetables are most nutritious when eaten soon after harvest, as nutrient loss occurs with transportation and storage.[23]

III. Laws and Policies Related to Farm to School on the Navajo Nation

This section will describe how laws and policies at the federal, Navajo, BIE, and state level impact the ability of school systems on the Navajo Nation to start farm to school programs. Unfortunately, the Navajo Nation does not currently have uniform authority over all schools that teach Navajo children. As Tommy Lewis, the Superintendent of Navajo Nation Schools stated in testimony before Congress in 2015, "At this moment, the Navajo Nation does not have a uniform educational system that allows for consistent regulatory oversight of the educational opportunities offered to Navajo students."[24]

There are five separate and independent school systems within the Navajo Nation. These include state public schools (Arizona, New Mexico, and Utah), schools run by the Bureau of Indian Affairs (BIA)/ Bureau of Indian Education (BIE), schools under the direction of the Navajo Nation, charter schools and private schools. This section describes the policies that impact the food environment in these various school systems. Specifically, this section focuses on three types of policies relevant to farm to school:

1. **Geographic preference policies** encourage schools to preference locally-grown foods when making purchasing decisions. Locally-sourced foods, particularly from smaller farms, might cost more because large food distributors benefit from economies of scale that small farms cannot offer. Geographic preference policies make it easier for local farmers to compete with larger distributors in the school bidding process.
2. **Procurement policies** require schools to go through a formal, public bidding process when purchasing food in order to ensure fairness and financial responsibility. If a school purchases a small amount of food (a "small purchase"), the school does not have to participate in a formal bidding process. This enables small farms to sell produce without going through the formal process, making it easier for them to compete for school contracts.
3. **Food safety policies** assure schools that food was grown and processed safely. However, overly restrictive food safety policies can keep small farmers from selling to schools because farmers cannot afford the food safety certification process.

A. Federal Laws that Impact Farm to School

The federal government strongly supports farm to school programs. In 2010, Congress approved a resolution to officially designate October as National Farm to School Month to highlight the value of farm to school programs.[25] Congress has also established the Farm to School Grant program through the USDA to assist school districts or schools in planning, designing, implementing, or expanding farm to school programs. There is $5 million total available through this grant program, with grants ranging from $20,000 to $100,000 per award, depending on the type of project and anticipated project costs.[26]

Schools receiving federal funds for school meal programs like the NSLP and SBP must meet the nutrition standards discussed earlier in this memo, as well as requirements for food procurement.[27] Fortunately, these requirements favor the establishment of farm to school programs and school gardens. In addition, the USDA has stated that it encourages schools to purchase from local tribal farmers and serve traditional food products in schools serving tribal communities, although Navajo producers may not be preferenced in the procurement process.[28] The section will describe federal laws related to geographic preference, procurement, and food safety standards for school foods.

1. Geographic Preference

Schools in the Navajo Nation can preference local farmers when purchasing food. However, schools cannot say that they will *only* buy from local farmers, as that would constitute a requirement rather than a preference.[29] Also, schools may not explicitly preference Navajo-owned or controlled businesses when using federal funds.[30] However, schools can define "local" to include regions where most or all farmers are Navajo. For example, local could mean "within 100 miles of the school" or "harvested within 4 days of delivery."

2. Procurement Requirements

Federal laws require that schools follow a formal bidding process when making large food purchases. This bidding process can take the form of either an Invitation for a Bid or a Request for Proposals. If the contract is under a certain amount, schools are exempt from this formal bidding process under the "small purchase" exemption.

A formal bidding process requires schools to solicit bids through a formal written document, to publicly advertise this solicitation, and to consider all submissions they receive from businesses interested in the contract.[31] Generally, under the formal bidding process, the school must select the lowest bid for the school contract. The "small purchase" exemption allows schools to use an informal process when the estimated amount of purchase does not exceed the federal small purchase threshold of $150,000. During this informal process, the school solicits written price quotes from at least three businesses.[32] Because schools do not have to publically advertise for bids in the informal process, they may approach only local producers, or only Navajo producers.[33] because it requires less paperwork, the informal process is less burdensome on the school and the supplier, and makes it easier for smaller producers with less formal procurement experience to participate.

For "micro-purchases" under $3,000, schools can buy from producers without asking for quotes from several businesses, so long as the school has researched the market price of the goods, distributed the bids fairly amongst producers, and has not exceeded $3,000 from a specific buyer in a year.[34] Notably, if product is donated or comes from a school garden, procurement policies do not apply.[35]

The small purchase threshold and micro-purchase threshold are not uniform across the U.S. Federal law allows states to set their own small purchase thresholds that are lower than the federal ceiling and thus require formal procurement processes for smaller purchases.[36] As described below, the three states overlaying Navajo Nation have each adopted lower small purchase thresholds than the federal standard.

KEY RESOURCES FOR SCHOOL GARDENS

The USDA's *Food Safety Tips for School Gardens* include locating gardens far from contaminants and refraining from using any pesticides or herbicides.

ChangeLab Solution's *Serving School Garden Produce in the Cafeteria* serves as a helpful resource for schools that want to serve garden-grown produce in school meals and snacks. The report provides guidance to schools on how to navigate the federal, state, and local laws related to this practice.

Sources:
U.S. DEP'T OF AGRIC., FOOD SAFETY TIPS FOR SCHOOL GARDENS 1, (Feb. 2015), http://nfsmi.org/documentlibraryfiles/PDF/20110822025700.pdf.

CHANGELAB SOLUTION AND NATIONAL POLICY AND ANALYSIS NETWORK TO END CHILDHOOD OBESITY, SERVING SCHOOL GARDEN PRODUCE IN THE CAFETERIA (June 2013), http://www.changelabsolutions.org/sites/default/files/SchoolGardenLiability_Memo_FINAL_20130621.pdf.

3. Food Safety Policies

Schools participating in the NSLP and SBP must meet federal food safety requirements, including a minimum of two safety inspections a year from the responsible state or local agency,[37] a food safety program that meets local health department requirements,[38] and adherence to relevant state, tribal, and local laws and regulations on food safety.[39]

Federal law does not require that farms obtain any food safety certification to sell to schools.[40] USDA's voluntary food safety certifications, the Good Agricultural Practices (GAP) certification and Good Handling Practices (GHP) certification, are each a "set of recommendations or guidelines" worthy of consideration by food producers and distributors,[41] but the USDA leaves it up to farmers to decide if they want to be GAP/GHP certified.[42] However, some schools and private food service companies have chosen to make GAP/GHP certification a requirement,[43] which presents a challenge for small farms. GAP/GHP certification is designed for larger farms and can include high costs, heavy record-keeping requirements, and mandated infrastructure improvements that do not make sense for small farms.[44]

The USDA has recognized that GAP/ GHP certification can be cost-prohibitive for smaller farmers and has therefore created "GroupGAP," a new certification program designed to help small farmers demonstrate compliance with good agricultural practices and share the cost of certification.[45] Yet even with this new program, many

farmers will struggle to become GAP/GHP certified, and schools and companies should accept food from farms that can ensure safe growing practices in other ways.

Federal law also does not place any food safety requirements on school gardens where the food will be used as part of school meals.[46] Instead, the USDA provides a list of food safety tips for school gardens, including locating gardens far from contaminants and refraining from using any pesticides or herbicides.[47]

B. Navajo Nation Laws that Impact Farm to School

There are several existing Navajo laws and policies relevant to farm to school programs. This section will explore these laws. The Recommendations section of this memo will provide a number of suggestions on how the Navajo Nation government could enact new laws and policies to support schools developing farm to school programs.

1. Geographic Preference

As mentioned above, Navajo schools using federal funds for school meals can preference local farmers when purchasing food. Though the Navajo Nation has enacted the Navajo Nation Business Opportunity Act to grant first opportunity to Navajo owned businesses for government contracts,[48] federal law does not allow schools to preference minority businesses when purchasing school food.[49] Thus, because such a preference would be on ethnic grounds, schools may not use the Business Opportunity Act to give preference to Navajo farmers. However, schools can use a geographic preference that includes regions where most or all farmers are Navajo when purchasing locally grown foods. This is further explained in the Federal Law: Geographic Preference section. Schools can also play an active role in reaching out to Navajo farmers to ensure that they are aware of the school's bidding process and encouraging them to submit a bid.[50]

2. Procurement Requirements

The Navajo Code requires that public institutions, including schools, use a formal competitive bidding process for contracts over $50,000. This process also includes a period of public notice to ensure fair competition.[51] Since $50,000 is more restrictive than the federal small purchase threshold of $150,000, the Navajo Nation is currently requiring more businesses to go through the formal process than is required by the federal government.

3. Food Safety Policies

Navajo schools are regulated by the Navajo Food Service Sanitation Code,[52] which adopts federal regulations.[53] While this code specifies general food preparation and storage requirements,[54] it does not address where schools should buy food, saying only that those sources must meet all of the food safety and labeling requirements in the Code.[55] Therefore, there are no Navajo laws restricting the types of farms or

businesses a school can purchase from or the use of school garden produce in Navajo schools.

C. Bureau of Indian Education (BIE) Laws Relevant to Farm to School

Until recently, the Bureau of Indian Education (BIE) oversaw 66 schools on the Navajo Nation32 were operated directly by the BIE while the others were tribally-controlled grant schools.[56] On September 27, 2016, however, federal officials signed an agreement granting the Navajo Nation the power to implement a single set of "standards, assessments, and accountability measures" for all tribal schools in New Mexico, Arizona, and Utah.[57] Navajo President Russell Begaye has said that this agreement will allow Navajo schools to focus on Navajo language and culture,[58] which go hand-in-hand with farm to school programs focused on using local food to teach about traditional food ways. Since, this is a very recent change this memo will still consider BIE school policies as relevant to implementation of farm to school programs.

1. Geographic Preference

The BIE encourages its schools to design and participate in farm to school programs. The Indian Affairs Manual states that schools should participate in programs that increase the quality of meal services for students, including farm to school programs.[59] BIE has also created its own Health and Wellness Policy for all BIE schools. This Policy encourages BIE schools to buy fresh produce directly from independent produce vendors in an effort to increase student health.[60] BIE schools accepting federal funding for school meals can provide a geographic preference so long as they follow the guidelines described above.

2. Procurement Requirements

Since BIE schools rely mostly on federal funding, they are regulated by the federal procurement standards and follow the procurement rules mentioned in the federal section above.

3. Food Safety Policies

The Indian Affairs Manual requires that BIE schools follow federal food safety guidelines and meet state and local health department standards (if they are higher than federal standards).[61]

D. State Laws Relevant to Farm to School Programs

State control of Native American student education is a product of the Johnson-O'Malley Act of 1934, which authorized the Secretary of the Interior to contract with "any state, university, college or with any appropriate state or private corporation, agency, or institution, for the education of Indians in such state or territory."[62] The Navajo Nation does not have direct authority over state-run schools located on state

land.[63] As for state-run schools located on Navajo land, there is currently much debate over Navajo Nation's authority.[64] For example, in a 2013 case in the U.S. District Court of Arizona, *Window Rock v. Reeves*, the judge decided that the Navajo Nation does not have jurisdiction over employment decisions made by state schools located on Navajo land.[65] This decision is currently being reviewed in the Ninth Circuit Court of Appeals,[66] so there is no final decision as of the publication of this memo. This decision will clarify the level of control that the Navajo Nation has over public state schools located on Navajo Land.

Even if the final decision in this case goes against Navajo Nation's sovereignty, there are still many supportive laws and strategies that the Navajo Nation can use to encourage state schools located both on and off the reservation to develop farm to school programs. *Appendix 2: Tools for Facilitating State and Tribal Collaboration* provides several examples of strategies that could allow tribes and states to collaborate.

1. Laws Affecting State and Tribal Collaboration

Several laws exist which provide the Navajo Nation with collaborative authority in relation to state schools. For instance, state schools receiving federal Impact Aid funding for the care they provide Navajo students are required by federal law to consult with parents of Navajo children and the Navajo Nation itself about how to make sure that the schools are providing programs important to Navajo interests.[67] Federal law also provides tribes with a forum for complaints about local educational agencies that are not giving tribes their due attention.[68]

Additionally, New Mexico[69] and Arizona[70] have both passed Indian Education Acts, which require that state schools meet the needs of tribal students and cooperate with tribal governments to provide a culturally appropriate education to tribal students. Utah has a Native American Legislative Liaison Committee that exists to recommend legislation in order to further tribal interests and to address the public education needs of tribal students.[71] Furthermore, the Navajo Nation has committed to "work cooperatively" with all education providers to ensure that Navajo educational goals are met.[72]

Though these laws do not discuss school food and gardens, the Navajo Nation can present farm to school programs as crucial for the culturally appropriate education of its children. Farm to school programs that teach students about traditional foods, growing and cooking methods, and the spiritual importance of food in Navajo traditions should fall squarely into the category of culturally relevant programming that these federal and state laws protect. Thus, the Navajo Nation can encourage state schools to implement farm to school programs on and off of Navajo lands.

2. Geographic Preference

States can pass laws encouraging or requiring public institutions, including state-run schools, to apply a geographic preference when purchasing food. Schools can go beyond state laws and create narrower definitions of "local" when applying geographic preference because the USDA allows schools to define "local" however they see fit.[73]

In 2016, New Mexico passed a law requiring that public institutions, including schools, preference New Mexico businesses, including agricultural businesses, by decreasing bids from New Mexico businesses by 5%.[74] This gives New Mexico farms a significant advantage over non-resident farms in the bidding process for school contracts. As mentioned above, New Mexico schools could go beyond this state requirement to define "local" more narrowly or to implement a higher price preference than the state law.

Arizona and Utah do not require that public institutions apply a geographic preference, but schools in those states are free to apply a geographic preference on their own.[75]

3. Procurement Requirements

Arizona, New Mexico, and Utah have all enacted procurement laws that set the small purchase threshold below the federal small purchase threshold of $150,000. Each state has also enacted various thresholds for very small purchases, under which procurement standards are further relaxed.

In 2013, Arizona raised its small purchase threshold to $100,000.[76] For any purchases that exceed this amount, schools must use a formal bidding process.[77] For contracts falling below this threshold requirement, however, schools are only required to follow the federal procurement guidelines for small purchases as explained in the federal law section of this memo.[78] For purchases under $5,000, Arizona further relaxes the bidding requirements, stating that schools can use any process to select a bid that provides "adequate and reasonable competition.[79]

In New Mexico, the small purchase threshold is $60,000, and the state allows local authorities to set lower thresholds.[80] However, regardless of any local laws, New Mexico allows public institutions, including schools, to make direct purchases based on the best available price for purchases under $20,000.[81]

In Utah, the small purchase threshold for a single purchase from a single source is $5,000[82]; however, a school can buy up to $50,000 worth of produce from the same source over the course of a year.[83] But school districts have the power to make procurement rules for small purchases,[84] so schools should consult with their districts before making any purchases. Utah also has a version of a micro-purchase known as the "individual procurement" threshold, which allows schools to buy produce costing up to $1,000 from any farmer without seeking competitive bids.[85]

4. Food Safety Policies

Arizona, New Mexico, and Utah have adopted a version of the FDA Model Food Code. The FDA food code focuses on kitchen and cafeteria cleanliness, and does not set specific requirements that farms or other food providers must meet to sell to schools.
Local regulatory authorities can impose additional food safety requirements. Depending on the state, food safety regulations can be implemented by either the state department of health or by local health departments. Sometimes, the state department of agriculture may also enact food safety regulations.

New Mexico has a centralized public health system where state employees conduct most public health services and certifications in the state and food safety regulations are developed and implemented by the state.[86] In contrast, Arizona and Utah both have a state department of health that delegates much of the public health services to local health departments that operate independently from the state.[87] Therefore, local health departments have authority to interpret regulations and set standards in their communities. Depending on where a school is located, its officials should contact either their state or local health department to make sure they are complying with all state and local food safety regulations.

Similarly, states do not currently have any requirements for school gardens providing food in school meals. The Arizona Department of Health has released a guidance document which recommends that schools have someone with knowledge of GAP manage the program and that schools implement a garden food safety plan which includes such precautions as ensuring garden fertilizers are from a commercially produced source.[88] State schools can also use the federal voluntary guidelines for school gardens highlighted above.

The following table provides an overview of the different policies relevant to farm to school programs that impacts schools on Navajo Nation:

	Geographic Preference	Procurement Process	Food Safety
Federal	Permits schools to give local growers selling raw or minimally-processed agricultural products a competitive advantage in school bidding. Allows schools to define "local" when applying this geographic preference.	Schools must follow formal bidding process when purchasing food, except for small and micro purchases: Sets small purchase threshold of $150,000 and micro-purchase threshold of $3,000.	Does not require that farms meet any food safety certification in order to sell to schools. Provides voluntary food safety certifications (Good Agricultural Practices (GAP) and Good Handling Practices (GHP) for farms and facilities.
Navajo	While the Navajo Nation Business Opportunity Act allows institutions to preference Navajo businesses, federal law	Schools must follow formal bidding process when purchasing food, except for small purchases: Sets small	The Navajo Food Service Sanitation Code, adapted from the FDA food code, does not require that farms meet any food

	bars schools that are using federal funds from preferencing Native American farmers. Thus schools can preference local farms, but cannot specify that they must be Navajo-owned.	purchase threshold at $50,000.	safety certifications in order to sell to schools.
Bureau of Indian Education (BIE)	BIE encourages schools to participate in farm to school programs and buy fresh produce directly from independent produce vendors. BIE schools using federal dollars to purchase food must be permitted to use a geographic preference.	Follows federal procurement rules: Schools must follow formal bidding process when purchasing food, except for small and micro purchases: Sets small purchase threshold of $150,000 and micro-purchase threshold of $3,000.	Does not require farms to meet any food safety certifications, but does require schools to follow local health department's food safety standards, which could include food safety requirements for farms depending on the department.
State (NM, AZ, UT)	Schools using federal dollars to purchase food must be permitted to use a geographic preference. States must allow schools to define "local" for purposes of applying the geographic preference.	Schools must follow formal bidding process when purchasing food, except for small purchases: Arizona: Small purchase threshold of $100,000; for purchases under $5,000, the state allows schools to use any process that provides reasonable competition. New Mexico: Small purchase threshold of $60,000 and micro-purchase threshold of $20,000. New Mexico farms receive a 5% price preference over non-resident farms when they bid on a school contract. Utah: Small purchase threshold of $5,000 and micro-purchase threshold of $1,000.	Some states keep authority over food safety requirements at the state level, while others delegate that authority to local health departments. Therefore, the food safety guidelines that farms and schools must meet depend on the specific community. Arizona and Utah both have a state department of health that delegates all public health services to county health departments that operate independently from the state. The county health departments can enact their own food safety regulations. New Mexico has a more centralized system with the state department of health developing food safety regulations for the state.

IV. TRIBAL AND STATE FARM TO SCHOOL PROGRAMS IN THE UNITED STATES

Beyond improving nutrition, many Native American communities have started farm to school programs as a means of teaching students and surrounding communities about their culture and as an opportunity to support local Native American farmers.[89] This section will provide case studies of both tribal and state farm to school programs and policies that show the variety of ways that the Navajo Nation might be able to support farm to school programs.

A. *Farm to School at the STAR School in Flagstaff, Arizona*

The STAR School near Flagstaff, Arizona is a community-based charter school that serves 130 Navajo and Arizona students.[90] The STAR School's farm to school program is still working to bring local produce to its cafeteria,[91] but has implemented several other strategies to introduce local produce and agriculture to its students. For instance, the school uses local produce when creating class recipes in home economic classes, has created greenhouses and a garden which students contribute to by harvesting and sampling the produce, and is locating Navajo producers interested in selling to the school.[92] The STAR School initially received funding from First Nations Development Institute,[93] and then from a USDA grant[94] to build their farm to school program.

B. *Farm to School in Tohono O'odham Nation, Arizona*

The Baboquivari Unified School District serves the 11 tribal districts (similar to Chapters) of the Tohono O'odham Nation.[95] In 2010, the Baboquivari school district teamed up with Tohono O'odhom Community Action (TOCA), a nonprofit organization, to provide traditional, locally-grown foods to students.[96] The school district now offers traditional O'odham foods on a daily basis to all the schools in the district.[97] TOCA also published *From I'itoi's Garden: Tohono O'odham Food Traditions*, a compilation of oral history and traditional recipes from 35 elders that children can use in schools.[98]

In addition to assisting with school meals, TOCA has helped three schools serving the Tohono O'odham Nation (the Santa Rosa Boarding School, the Santa Rosa Ranch Day School, and the Indian Oasis Primary School) to set up school gardens.[99] While TOCA provides the expertise, schools provide the students, volunteers, and staff to manage the daily operations of the gardens.[100] Schools use the produce from these gardens for traditional ceremonies as well as in classroom lessons about Tohono O'odham traditional foods.[101]

E. *Farm to School in Utah*

Efforts to promote farm to school programs in Utah demonstrate the value of connecting schools, farmers, and policy-makers. By fostering collaboration and

encouraging formal and informal partnerships among stakeholders, Utah has managed to promote farm to school conferences, nutrition education programs, and school gardens.

In 2015, the Utah State Office of Education held the state's first Farm to School Conference.[1] Over the course of two days, attendants learned about many aspects of farm to school programs, including local procurement and local food budgeting.[2] Furthermore, nine schools received small grants that could be used to build greenhouses, purchase garden equipment, and sponsor farm tours.[3] Utah's conference serves as a strong model for the value of educational efforts and government-sponsored grants that allow schools to invest in farm to school equipment and programming.

School garden programs are also well-supported in Utah, and a number of programs allow school-aged children to learn about the value of growing and eating fresh foods. For example, the Wasatch Community Gardens[4] in Salt Lake City, though its School Garden initiative, puts on programs to educate over 1,500 children a year through gardening classes, summer camps, field trips, and other initiatives.[5]

Utah agencies have also taken great strides toward making information about farm to school programs accessible to various stakeholders. Because information gaps often present an obstacle to effective program implementation, Utah's educational efforts can serve as a model for other states and organizations hoping to increase the prevalence of farm to school programs. For example, the Salt Lake County Parks and Recreation Department released a Farm to School Toolkit in 2015.[6] Among other things, this toolkit provides information about how schools can access local foods, ensure these foods are safe, set price points based on geographical preference, and incorporate food-based learning into their curriculums.[7] Similarly, Utah farmers hoping to participate in farm to school programs can access a step-by-

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[1] *Utah Profile,* NATIONAL FARM TO SCHOOL NETWORK, http://www.farmtoschool.org/our-network/Utah (last visited Sept. 26, 2016).

[2] *Utah Profile,* NATIONAL FARM TO SCHOOL NETWORK, http://www.farmtoschool.org/our-network/Utah (last visited Sept. 26, 2016).

[3] *Utah Profile,* NATIONAL FARM TO SCHOOL NETWORK, http://www.farmtoschool.org/our-network/Utah (last visited Sept. 26, 2016).

[4] *Wasatch Community Gardens,* https://wasatchgardens.org/ (last visited Sept. 26, 2016).

[5] *Utah Profile,* NATIONAL FARM TO SCHOOL NETWORK, http://www.farmtoschool.org/our-network/Utah (last visited Sept. 26, 2016). For a demonstrative success story, see: *How Does It Work?*, EMERSON COMMUNITY GARDEN, http://emersoncommunitygarden.weebly.com/how-does-it-work.html (last visited Oct. 20, 2016).

[6] *Farm to School Toolkit*, SALT LAKE COUNTY PARKS AND RECREATION, http://slco.org/urbanfarming/pdfandWord/utahFarmToSchoolTool.pdf (2015).

[7] *Farm to School Toolkit*, SALT LAKE COUNTY PARKS AND RECREATION, http://slco.org/urbanfarming/pdfandWord/utahFarmToSchoolTool.pdf (2015).

step manual[8] with instructions on how to build community-based connections, contract with schools, and work within school budgets.[9]

F. *Farm to School in New Mexico*

New Mexico provides an excellent model for the efficacy of non-profit organizations in tackling regional food problems through local partnerships and collaboration with the state government. One such success story is the implementation of the New Mexico Grown Fresh Fruits and Vegetables for School Meals bill of 2007, which funds a pipeline between local farmers and schools to help provide fresh fruits and vegetables to a substantial proportion of New Mexico's approximately 350,000 school-aged children.[10]

The legislative initiative was spearheaded by the Santa Fe non-profit Farm to Table New Mexico, in collaboration with the New Mexico Department of Agriculture, the New Mexico Cooperative Extension Service, the New Mexico School Nutrition Association, and the New Mexico Food and Agriculture Policy Council.[11] The Act has dramatically increased the number of school districts purchasing fresh produce from farmers in New Mexico. From 2012 to 2014 alone, this number quadrupled to 60 districts, amounting to over 300,000 pounds of locally grown fruit and vegetables.[12] Since then, the collective led by Farm to Table has successfully pushed for larger appropriations each year, from the initial recurring $85,000 to approximately $480,000 for the 2015-16 legislative year.[13] The aim is to increase this to $1.44 million in order provide fresh fruits and vegetables to every school-aged child in every district in the state.[14]

C. *Farm to School in the Oneida Nation, Wisconsin*

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[8] *Utah Farm to School: A Step-By-Step Guide for Farmers*, CHILD NUTRITION PROGRAM, http://slco.org/urbanfarming/pdfandWord/utahStepByStepGuideF.pdf (2013-14).

[9] *Utah Farm to School: A Step-By-Step Guide for Farmers*, CHILD NUTRITION PROGRAM, http://slco.org/urbanfarming/pdfandWord/utahStepByStepGuideF.pdf (2013-14).

[10] S. 61, 48th Leg., Reg. Sess. (N.M. 2007), https://www.nmlegis.gov/Sessions/07%20Regular/final/SB0611.pdf.

[11] *See* Food Policy Council Resources, FARM TO TABLE, http://www.farmtotablenm.org/resources/food-policy-council-resources/ (last visited Sept. 26, 2016).

[12] Bryan Crawford-Garrett, *A Call to Action - Farm to School in New Mexico: Successes, Challenges, and Potential Ways Forward,* THORNBURG FOUNDATION, at 17 (Feb. 15, 2015), http://www.farmtoschool.org/Resources/A%20Call%20to%20Action_F2S%20in%20NM_Feb%202015.pdf

[13] Bryan Crawford-Garrett, *A Call to Action - Farm to School in New Mexico: Successes, Challenges, and Potential Ways Forward,* THORNBURG FOUNDATION, at 17 (Feb. 15, 2015), http://www.farmtoschool.org/Resources/A%20Call%20to%20Action_F2S%20in%20NM_Feb%202015.pdf

[14] H.R. 189, 52d Leg., 2d. Sess. (N.M. 2016), http://www.farmtotablenm.org/wp-content/uploads/2013/01/Nm-Grown-for-School-Meals-HB0189-Reps-Hall-Tripp.pdf

The Oneida Community Integrated Food Systems group (OCIFS) has been the primary driver of farm to school programs on the Oneida Nation.[102] OCIFS was born from a taskforce brought together in the early 1990s by the Oneida Nation to determine how to address the health and poverty problems of the Oneida tribe.[103] The taskforce recommended bringing together various tribally owned entities, including the Oneida Nation Farm Apple Orchard, Food Distribution Program, Tsyunhehkwa Center and Cannery, Oneida Health Center, and Oneida Grants Office, into a cohesive food system group.[104] OCIFS is dedicated to "help[ing] families by housing a community food system that will include traditional food products and help create a local economy that will provide jobs, and promote and encourage long term solutions to farm and nutrition issues on the Oneida Reservation."[105]

After learning that transit times for food in local schools could be longer than two weeks,[106] OCIFS started providing Oneida schools with locally grown, healthful food. The group also connected local schools to Oneida farms, such as Tsyunhehkwa, a tribally-owned, 83-acre organic farming and food processing center.[107] Specifically, OCIFS has enabled schools to purchase Black Angus beef and bison meat, as well as apples, potatoes, squash, and milk from local farms.[108] This program has doubled the amount of fruits and vegetables in these schools.[109] OCIFS received state certification for their meat so that it can be served in schools.[110]

The Oneida farmers also teach students about traditional methods for harvesting crops.[111] The Oneida Falling Leaves 4-H Club collaborates with farmers to teach students about food, agriculture and entrepreneurship.[112] The club even assists local farmers by working as a "food broker" to help farms market their products to schools.[113] OCIFS also designed a Cultural Activity Book that teaches students and parents about how eating traditional foods can improve health.[114]

D. Farm to School in Colorado

The state of Colorado provides a helpful example of how government leaders can support farm to school programs through policy. In 2010, the Colorado General Assembly passed the Farm to School Healthy Kids Act, which emphasized Colorado's interest in developing farm to school programs.[115] This Act created a farm to school task force to develop and recommend policies for implementing farm to school programs, guide farm to school programs, assist in identifying funding sources, and advise school food service staff on how to use unprocessed foods like fruits and vegetables.[116] The Act requires that the task force have at least 15 members, including representatives from the Colorado Departments of Education, Agriculture, and Public Health and Environment, as well as school food service directors, nonprofits, and farmers.[117] This task force has collaborated with and connected farm to school stakeholders across Colorado, helped establish an online "one-stop-shop" website for schools and farmers, and created guidance documents, such as a farm food safety toolkit and an FAQ answer sheet for farmers explaining USDA geographic preference rules.[118]

In addition to creating the taskforce, Colorado has created a Food Systems Advisory Council responsible for coordinating with other government groups and private organizations to improve the entire Colorado food system.[119] One of the Council's duties is to consider how to improve local sourcing for school meals.[120]

Thanks to the support of the Colorado legislature, the number of Colorado school districts participating in farm to school increased from 22 to 98 public school districts between 2010 and 2013.[121] The school districts participating in farm to school report obtaining 75% of their fruit, 85% of their vegetables, 46% of their milk, and 34% of their meat from local growers.[122] Some of these schools have also incorporated farm to school into their local wellness policies.[123]

KEY RESOURCE

The White Earth Land Recovery Project's *Indigenous Farm to School Programs: A Guide for Creating a Farm to School Program in an Indigenous Community* described their reasons for starting farm to school programs:

"It was our hope that efforts like a farm to school program would improve the health of our school children, revitalize White Earth's local economy and reintroduce Anishinaabe food traditions and practices. We intend to re-traditionalize our relationship with growing, preparing, eating, and talking about food as well as work to familiarize and motivate our children with the same heritage foods that were given to us and are a part of our stories and traditions. These practices will lead to the overall success of our children here on White Earth as healthy, happy, and culturally rich Anishinaabe people."

Kaisa Jackson, *Indigenous Farm to School Programs: A Guide for Creating a Farm to School Program in an Indigenous*

E. *Farm to School in the White Earth Nation, Minnesota*

The White Earth Land Recovery Project (WELRP), a nonprofit organization founded and run by members of the White Earth Nation,[124] has played a key role in helping schools fundraise for farm to school programs[125] and connecting schools to White Earth farmers.[126]

There are three different schools on the White Earth Reservation that have implemented farm to school programs thus far: Pine Point Elementary School, Nay Tah Waush Charter School, and the Circle of Life Academy.[127] Through the assistance of WELRP, these schools have served over 60 different foods, including wild rice, berries, and squash, grown by nearby farming communities.[128]

In 2008, Pine Point Elementary School was the first of these schools to enact a farm to school program.[129] The school started by replacing much of the pre-packaged and highly-processed foods on their menus with traditional, locally-grown foods, including wild rice, blueberries, hominy, venison, and maple syrup. Since many of these foods are shelf-stable, the school can purchase them in the harvest seasons (August-October) in quantities that can last the long winter.[130]

In implementing these changes, Pine Point experienced a reduction in its food spending by $12,000.[131] Alongside the menu changes, the school introduced a curriculum that taught students about White Earth language and culture as well as nutrition.[132] The school also has festivals, a school garden, a composting initiative, and community educational events as part of its farm to school program.[133]

At the Naytahwaush Community Charter School, WELRP facilitated sending over 1,000 pounds of locally grown produce to the school cafeteria.[134] Through its farm to school program, the Circle of Life Academy serves its students locally grown tomatoes, zucchini, apples, squash, snap peas, and carrots.[135]

In addition to working with individual schools, WELRP has hosted 13 annual Great Lakes Indigenous Farming Conferences, which bring together native farmers, native students, state, tribal, and federal, government representatives, and visionaries to share knowledge on topics ranging from seed saving to sustainable agricultural practices.[136]

F. Farm to School in Washington, D.C.

Washington, D.C. provides an example of how a government with a smaller population can support farm to school programs in its communities. The following examples are applicable to both urban settings like D.C. and rural settings like the Navajo Nation. The D.C. Council has passed a number of laws that facilitate farm to school programs. The Healthy Schools Act of 2010 and the Healthy Schools Amendment Act of 2011 require that, whenever possible, schools serve unprocessed or minimally processed foods obtained from local growers.[137] Especially noteworthy is the reimbursement program that this law creates. For every school breakfast and lunch containing locally grown foods, schools are eligible for a reimbursement of 5 cents per meal,[138] in addition to the normal federal reimbursement rate.[139] In 2014, D.C. passed the Healthy Tots Act, which extended this reimbursement program to cover child development facilities.[140]

These policies have spurred nearly 300 schools to participate in farm to school, and those schools report obtaining 67% of their fruits and vegetables from local sources.[141] These schools report that they use locally sourced food in breakfasts, lunches, and school snacks.[142] Some of the benefits of farm to school reported by the schools include greater student acceptance of healthy foods and greater community support for school meals.[143]

V. RECOMMENDATIONS

Given the array of school systems that serve Navajo students and the varying authority the Navajo Nation has over these schools, the Navajo Nation has many opportunities to adopt policies and programs to support farm to school. The case studies above describing successful farm to school programs show the array of forms farm to school policies and programs can take, and the Navajo Nation should

work with schools and farmers to determine the best strategies for promoting farm to school programs. The following recommendations provide a range of strategies that the Navajo Nation could choose to adopt. This is not meant to be a comprehensive list, but rather a starting point for the Navajo Nation to begin to consider how to best nurture its children and support its farmers through increasing farm to school on the Navajo Nation.

A. Host a Navajo Farm to School Summit

A successful farm to school program in large part depends on the relationships between farmers, schools, and communities. By bringing together stakeholders from across the Navajo Nation and from overlaying states interested in farm to school, a Navajo Farm to School Summit could connect schools and farmers, disseminate key information on food safety and procurement rules, and bring in speakers from other tribal farm to school programs. Several tribes and states have hosted farm to school summits, and the following examples highlight some organization, sponsorship, and program options which could be adopted for a Navajo Farm to School Summit.

The White Earth Land Recovery Project has hosted the annual Great Lakes Indigenous Farming Conference since 2003 on the White Earth reservation in Minnesota. While the conference is not focused specifically on farm to school, previous sessions have included discussions on decolonizing our diet, Native gardening projects, designing educational programs about traditional food ways, and other topics relevant to farm to school.[144]

The Washington State Farm to School Summit of 2015 was organized by the Washington State Department of Agriculture with from a USDA Farm to School Grant.[145] Beyond providing networking opportunities, this Summit emphasized the need for farm to school participants to apply a common evaluation framework which could assist schools and researchers in tracking the effectiveness of farm to school programs and improving these programs.[146]

In Oregon, a non-profit organization called Upstream Public Health organized a Farm to School Summit for 2016.[147] The Summit is funded by the U.S. Department of Agriculture and the Oregon Department of Agriculture, as well as private funders.[148] The summit aims to connect state and federal regulators, local farms, and schools and educate attendees about creating farm to school programs and networking effectively, among other topics.[149]

A Navajo Nation farm to school summit could be organized by either a non-profit organization or a government body. While White Earth and Oregon's summits were organized by non-profits (Oregon's had government support), the Washington summit was organized by the Washington Department of Agriculture. There are several non-profits working with communities to bring farm to school programs to schools. For example, the National Farm to School Network, which is a network of over 30 organizations devoted to shaping the farm to school movement, works on

the national, regional and local level to help expand the farm to school movement.[150] The National Farm to School Network has regional offices in Arizona, New Mexico Colorado and Utah and could work with Navajo nation to organize a farm to school summit.[151] As demonstrated by the variety of sponsors for these summits, the Navajo Nation would likely be able to find sponsors, and therefore would not need to pay for the entire summit. Financing is especially important because schools will be far more likely to send attendees if the summit organizers could cover all or part of the costs of attendee transportation, housing, and meals.

Summit organizers should also consider timing, location, and education credits. They should avoid hosting the summit during harvest time when farmers would be too busy to attend. Because the travel distance may be prohibitive for certain key stakeholders, the Navajo Nation might also consider hosting regional Navajo farm to school summits as well as a Nation-wide summit. Providing continuing education/training credits for school food service staff to attend the conference can significantly boost the attendance of this important group of people.

B. Create a Navajo Farm to School Week

To raise awareness and excitement about farm to school programs on the Navajo Nation, leaders should consider declaring an official Navajo Farm to School Week. Farm to school weeks have been successful in many other communities.

For example, the Mississippi state legislature passed a resolution in 2012 to create a state-wide Farm to School Week to educate children about good agriculture and healthy lifestyles while also supporting local farmers.[152] During that week, schools make small purchases of local foods to highlight in school meals, invite local farmers to present to students about agriculture, and hold field trips to nearby farms.[153]

Virginia's Farm to School Week, organized by the Virginia Department of Agriculture and the Virginia Department of Education, is an opportunity for schools to try purchasing food from local farms for a single meal or snack that week.[154]

Farm to school weeks encourage schools that are hesitant about farm to school to make small purchases and see what challenges arise in delivery or billing. Many school food service directors have found that it was much easier than they expected, and children enjoyed trying the new foods. Farm to school weeks also improve the school food culture. Teachers, children and school administrators get excited about celebrating local foods and having healthy, delicious foods in the cafeteria. Without requiring any drastic changes, a Navajo Farm to School Week could, over time, lead many more schools to purchase Navajo foods on a more regular basis.

C. Pass a Navajo Farm to School Resolution

The Navajo Nation Council could adopt a policy statement resembling the one that the White Earth Land Recovery Project has proposed to the White Earth Nation.[155]

The proposed policy reinforces the tribe's commitment to "practice, preserve and develop traditional and local food systems with the intention of promoting public health, sustainability, tribal and individual sovereignty, and cultural preservation."[156] In the section pertinent to farm to school programs, the proposed policy states that, as allowed by tribal codes, the White Earth Nation would facilitate provision of "[t]raditional foods . . . for community feasts, school systems and tribal programs in a manner that insures their sanitation, but provides for access to these foods."[157] Even though such a policy is not binding, it can be an important message to schools, farms and the Navajo community that the Navajo government supports farm to school programs and that there are no laws standing in the way of their creation. A Navajo Farm to School Resolution could also be a first step toward larger policy changes, such as investing public funds into farm to school programs and creating new government positions to help coordinate farm to school around the Navajo Nation.

KEY RESOURCE

The National Farm to School Network publishes an annual survey of state legislation on farm to school. This survey provides an excellent overview of the wide array of policy strategies that policymakers can use to support farm to school programs.

See State Farm to School Legislative Survey 2002–2014, National Farm to School Network (Mar 2015), http://www.farmtoschool.org/Resources/F2S-Survey-2014.pdf.

D. Enact Food Safety Laws that are Friendly to Farm to School

As discussed above, the Navajo Nation Code requires that schools purchase from sources that comply with applicable law relating to food safety, but it does not define those sources or identify what laws are applicable.[158] While this current law does not restrict Navajo farms from selling to schools, the Navajo Nation may want to consider adopting laws which explicitly allow and encourage farm to school programs. In the absence of a specific and clear law, schools and farmers may be hesitant to start a farm to school program. Specifically, a new Navajo law could explicitly exempt farms selling minimally processed foods, such as unsliced produce, to schools from having to acquire any kind of license or certification. Such laws can boost the confidence of schools and smooth their path to creating farm to school programs.

Some states have adopted such laws with great success. For instance, Minnesota exempts farmers selling minimally processed goods to schools from the certification requirements that a farm might need in other instances.[159] In Oregon, state law permits uncertified farms to sell directly to schools, so long as the farms comply with basic rules adopted by the state's Department of Agriculture requiring the maintenance of sanitary conditions.[160] Oregon also permits farms to sell cut produce and jams so long as the farm alone performs all of the processing and labels the jams as uninspected.[161]

E. Create a Farm to School Coordinator Position

Hiring a Navajo Nation farm to school coordinator would be a cost-effective and efficient way to develop, implement, and expand Navajo farm to school programs. Having a central point person working full-time at the Department of Diné Education or another Navajo agency to develop farm to school programs, facilitate relationships between farms and schools, and bring additional funds into the Navajo Nation will make it easier for farms and schools get involved in farm to school.

The coordinator would first meet with stakeholders to determine how to best catalyze the growth of farm to school initiatives in the Navajo Nation. For example, in Maine, a farm to school coordinator currently serving several counties has facilitated in-person meetings with school staff and farmers to encourage schools to start purchasing locally.[162] The coordinator can also increase communication and information sharing between farmers and schools. In Washington, the state farm to school coordinator developed "Farm to Cafeteria Connections," a report detailing the process of establishing farm to school initiatives in Washington and providing examples of successful local initiatives.[163] Collecting and disseminating this type of information can make it easier for schools and farms to connect and establish ongoing commercial relationships.

Once initiatives get off the ground, a coordinator can provide further support. A coordinator can identify community and non-profit organizations that could be partners and sources of funding for smaller projects, such as school gardens. For farmers, the coordinator can help clarify food safety requirements. For school staff, the coordinator can conduct workshops and training sessions to teach food service directors and cafeteria staff how to purchase local foods using their school food budgets, how to prepare these foods so that they taste good, and how to work with teachers to incorporate farm to school lessons into the curriculum.

The salary for a Navajo farm to school coordinator can be offset by the money that he or she would likely be able to bring into the Navajo Nation through grants and other funding. The federal government currently provides a number of grants for farm-to-school programs, including Community Food Projects Competitive Grants of up to $125,000 per year or $400,000 per four years for enhancing food security through support of local food production,[164] U.S. Department of Agriculture Farm to School Grants of up to $100,000,[165] and Specialty Crop Block Grants administered by the relevant state agency in each state.[166]

Farm to school coordinators have successfully secured grants to assist with the planning and implementation of farm to school programs. For example, Tricia Kovacs, Washington's coordinator, secured nearly 300% more in grant money than she earned in 2009. While she earned about $65,000,[167] Kovacs obtained roughly $260,000 in funding from the United States Department of Agriculture.[168] Using this money, she was able to hire other individuals to work with her to promote farm to school initiatives around the state.

F. Create a Geographic Preference

Geographic preference policies can be an effective tool to increase local food purchasing. The Navajo Nation already allows programs funded by the tribe to grant preference to certified Navajo-owned businesses. The Navajo Nation Business Opportunity Act grants "first opportunity and contracting preference to qualified Navajo businesses for contracts, subcontracts, grants and subgrants sponsored by the Navajo Nation and all public and private entities."[169] However, this Navajo law does not apply to school food purchasing when schools are using federal funding because the USDA prohibits schools from applying a racially-based preference when using federal dollars for school foods.[170]

The Navajo Nation could enact a geographic preference law that decreases the price of bids from local farmers in the formal bidding process when they are competing with non-local food distributors. While the law cannot create a preference for Navajo farmers, it can define "local" to mean "within 100 miles of a school" or "within the three overlaying states." Locally-sourced foods, particularly from smaller farms, might cost more because large food distributors benefit from economies of scale that small farms cannot offer. According to the USDA geographic preference rule mentioned above, schools using federal dollars to purchase food can provide a *price preference* to local farmers or producers by equating geographic proximity to a decrease in price on the bid, thus making local foods appear less expensive comparatively.[171] For example, imagine a school offers a 10 percent price preference to bidders within a certain geographic proximity and receives three bids. As seen in the chart below, the 10 percent preference could make a difference in the way the price appears such that the local producer (Bidder 2) would be able to win the bid.

TABLE VIII-1: GEOGRAPHIC PREFERENCE IN SAMPLE BID[172]

	BIDDER 1	**BIDDER 2**	**BIDDER 3**
PRICE	\$500	\$550	\$600
MEETS GEOGRAPHIC PREFERENCE	No	Yes (-10%)	No
PRICE WITH PREFERENCE POINTS	\$500	**\$495**	\$600

It is important to note that the school or district will stay pay the original bid price for the product, meaning that although local foods can win the contract, they may still cost more. Some schools may not be able to pay these increased costs. In order to help with this financial burden, the Navajo government could reimburse schools for the difference in price when the school purchases from local farmers.

G. Raise the Small Purchase Thresholds

The Navajo Nation could also help local farmers and schools develop deeper business relationships if it increased its small purchase threshold. As mentioned, the federal small purchase threshold is $150,000,[173] and for contracts under that amount, farmers do not have to go through the formal bidding process and schools can choose to ask Navajo farmers directly for price quotes on those contracts. Navajo Nation could raise its small purchase threshold of 50,000[174] to match the federal threshold and give farmers the opportunity to make bigger sales to schools without having to go through the formal bidding process.

The Navajo Nation could also approach the surrounding states — especially Utah, which has a small purchase threshold of $5,000[175] — and ask them to consider raising the small purchase threshold so that Navajo farmers might be able to sell to state schools without going through the formal bidding process for relatively small sales. Finally, though Arizona raised its small purchase threshold to $100,000, some materials from the Arizona Department of Education do not yet reflect this update,[176] so the Arizona Department of Education should be encouraged to update their materials and communicate this higher threshold to Arizona-run schools.

H. Create a Navajo Farm to School Interagency Task Force

The Navajo Nation can ease the path for schools interested in farm to school by creating an interagency farm to school task force. At least eight states have established, or are currently developing, farm to school task forces.[177] In most cases, these have been established by legislation directing the state Departments of Education, Health, and Agriculture to develop and coordinate the task force. Such task forces can play an important role in ensuring that agencies are working together to support farm to school. The task force would be a trusted body that could report back to the Navajo Council and make recommendations about policy changes that would be most impactful in supporting farm to school programs. For example, Utah has recently created a farm to school taskforce that will develop legislative recommendations for increasing farm to school programs in the state.[178]

In addition to bringing together relevant agencies and government officials, the task force should include key stakeholders from outside the government to inform policymakers about the on-the-ground challenges and opportunities related to farm to school. For example, Colorado's task force has fifteen members and includes directors of state agencies as well as food service directors, teachers, and representatives from farming organizations.[179] The Utah farm to school taskforce includes representatives from a total of twenty groups including the Utah State Office of Education, Department of Agriculture, Utah State University, several community organizations, charter school representatives, and daycare centers.[180] A Navajo farm to school taskforce could include representatives from the Department of Diné Education and the Navajo Department of Health, as well as school food service staff, Navajo farmers, Diné College, and other community organizations, such as COPE and the Diné Food Sovereignty Alliance.

I. Provide Funding for Farm to School Programs

Schools identify funding as one of the main barriers to implementing a farm to school program.[181] While the USDA provides federal grant opportunities[182] and private foundations offer some farm to school funding, these opportunities are extremely limited. A Navajo Nation farm to school grant program could help Navajo schools develop and expand their farm to school efforts, and could be structured in a number of ways.

- The Navajo Nation could offer supplementary funding to ***reimburse schools for all or part of the extra cost of using locally sourced produce***. The 2016 New Mexico State Legislature appropriated $250,000 to reimburse schools that purchase New Mexico-grown fruits and vegetables.[183] Many other states, such as Alaska[184] and Maine,[185] have piloted these reimbursement programs for a limited amount of time or for a limited number of schools.
- The Navajo Nation could provide funding for local or regional organizations to assist with ***transporting and distributing food from farms to schools***. In such a rural area, farmers might have trouble delivering to schools. New York offers loans, grants and other financial assistance to local and regional organizations to assist farmers with transporting locally grown food to schools and other institutions like hospitals and restaurants.[186]
- The Navajo Nation could provide grants to schools interested in ***building and maintaining a school garden***. These grants should only be given to schools that can show they have the capacity to maintain the garden over time, through a paid garden coordinator or other staff. The Mississippi Department of Agriculture and Commerce provides mini-grants to schools for starting and expanding their on-site gardens.[187]

J. Create Model Language for School Wellness Policies to Support Farm to School

School wellness policies express a school district's goals and guidelines for enhancing the health and well-being of their students and school environment, and incorporating farm to school into wellness policies can help prioritize the development and maintenance of these programs at schools. Beginning in 2010, Congress has required that schools participating in the NSLP and/or SBP create local school wellness policies that make plans for improving student health.[188] However, many school districts have outdated policies or boilerplate policies that no one follows. Navajo policymakers and advocates should make sure that school districts are updating and following their wellness policies and can encourage them to incorporate language about buying local foods, maintaining a school garden, and/or incorporating traditional food ways into the school curriculum. For example, the Bureau of Indian Education's Health and Wellness Policy has a section on Healthy Traditional and Cultural Foods that declares that BIE schools must:[189]

A. Strive to incorporate healthy foods that reflect the traditions and culture(s) of the student body. When incorporating traditions/culture(s) of the student body, schools should consult with students, parents, and the tribe(s) or community/communities of the student body;

B. Strive to serve at least one healthy traditional or cultural dish or snack per month to students and provide cultural education around the food dish, consistent with traditions and practices of the community. All dishes and snacks should meet the school meal requirements contained herein;

C. When feasible (space, climate, etc.), are highly encouraged to develop school gardens to cultivate and grow healthy fresh foods reflecting the traditions and practices of the community and culture(s) of the student body. If possible, use school garden produce in school meals;

D. Encourage students to participate in the cultivation and preparation of healthy traditional and cultural foods, whenever possible;

E. School meal staff should be provided with annual professional development and training (when feasible and within the constraints of resources) to meet the policy requirements contained herein; and

F. Conduct annual taste tests and cooking demonstrations of healthy traditional and cultural foods and snacks that are representative of a variety of traditions and cultures found within the school community.

The Navajo Nation could publish similar model language for school wellness policies encouraging schools to buy locally-grown, traditional Navajo foods and teach students about Navajo agricultural culture and history. This language could be part of new wellness policies for schools that currently do not have them, or could be incorporated into existing wellness policies. A farm to school coordinator could also play a valuable role in this process by drafting model language and assisting schools in incorporating the language into their current policies.

K. Connect Schools and Farmers Through Online Directory

Many schools and farmers interested in participating in farm to school programs do not know how to connect with each other. To address this issue, online directories where schools can list the products they are interested in purchasing and farmers can list the products they are growing can be extremely helpful. Wisconsin has such a directory, which lists contact information for all of the farms that have sold or are interested in selling to schools and also mentions whether the farms are willing to contribute to educational activities.[190] Colorado's directory allows buyers and sellers to search for local farms or schools participating in farm to school programs through specifications such as location and desired or supplied produce.[191]

Beyond connecting these stakeholders, the Navajo Nation could construct a website containing best practices, sample recipes, food safety guidelines, sample

curriculums about traditional foods, and success stories from Navajo farm to school programs. Once again, a Navajo farm to school coordinator housed in DODE or another Navajo agency would be extremely helpful in developing these resources.

VI. CONCLUSION

Farm to school programs have a wide range of benefits for Navajo students and the larger school community. Incorporating more locally-grown, traditional foods in school meals can improve health, provide additional income for local farmers, and help school food service directors meet nutrition standards. Providing hands-on education about traditional foods by building a school garden and teaching students about ceremonies that use traditional foods also ensures that the next generation will value and understand Navajo food ways. Therefore, the Navajo Nation should prioritize policies that support farm to school programs. Other tribes and states around the country have passed policies and started programs to promote farm to school, and the Navajo Nation could take significant steps to promote farm to school both in Navajo schools and in the other school systems, on and off the reservation, that educate Navajo children. As a sovereign nation, the Navajo Nation can use its authority to protect the health of its children and the strength of food traditions passed down by Navajo elders by ensuring that traditional Navajo foods are a part of every child's education.

APPENDIX 1: REGIONAL EXPERTS ON FARM TO SCHOOL

School/Program	Contact	Phone #	Email
Arizona Department of Education	Ashley Schmike, Farm to School Specialist	(602) 364-2282	ashley.schimke@azed.gov
Arizona Department of Education	Nadine Groening, Director of Indian Education	(602) 542-5235	Nadine.Groenig@azed.gov
New Mexico Farm to Table	Pam Roy, Farm to School Specialist	(505) 660-8403	pam@farmtotablenm.org
Utah State Office of Education	Jessica Church, Farm to School Specialist	(801) 538-7691	Jessica.church@schools.utah.gov
Star School	Mark Sorensen, Co-Founder and President of Star School	(928) 415-4157	Mark.sorensen@starschool.org

APPENDIX 2: TOOLS FOR FACILITATING STATE AND TRIBAL COLLABORATION

There are many tools available to the Navajo Nation for collaborating with Arizona, New Mexico, and Utah on the topic of farm to school. As mentioned in this report, all three states have created policies to ensure that tribal interests are heard at the state level. The Navajo Nation has authorized the Navajo Nation Board of Education to create joint power agreements and memoranda of understanding with state-operated schools for the purpose of ensuring Navajo oversight.[192] Through communication and cooperation with state governments and state school districts, the Navajo Nation may encourage state schools to adopt programs which the Navajo Nation might not be able to mandate. Tools that other states and tribes have used for facilitating tribal-state collaboration include:

- **Committees established by the state legislature** can bring together and encourage dialogue between state and tribal government officials. For example:
    - Started in 1953, Arizona's Commission on Indian Affairs includes representatives from Native American tribes, Governor appointees, and state employees. The Commission works to promote collaboration between the state and tribes, and hosts Indian Nations and Tribes Legislative Day to honor the history of Native American tribes and bring together state policymakers and tribal leaders to discuss issues of common interest.[193]
    - Wisconsin's Special Committee on State-Tribal Relations is responsible for Wisconsin courts giving full faith and credit to actions of tribal courts and legislatures and improved cooperation between state and tribal law enforcement.[194]
- **State commissions and offices** can advocate on behalf of tribal members for reforming state policies. For example:
    - The Minnesota Indian Affairs Council is comprised of tribal and state elected representatives who monitor programs affecting tribes in the state and advise the state government on topics of tribal concern.[195]
    - The Oklahoma Indian Affairs Commission is a liaison for tribal people, tribal governments, private entities, and state and federal agencies.[196]
- **State-tribal government-to-government agreements and protocols** can establish intergovernmental respect and consultation. For example:
    - The Centennial Accord between the Federally Recognized Indian Tribes in Washington State addressed the need for mutual respect between state and tribal governments, establishing annual meetings between the government and tribal leaders and serving to validate tribal authority in the eyes of state agencies.[197]
- **Native American representation in state legislatures** can be a direct way to increase the voices of the tribal community in the state government. For example:
    - In Maine, there is a special tribal election that places two tribal delegates on the state legislature. These representatives have no voting power, but they may introduce legislation and participate in floor debates.[198]

- **Intertribal organizations** can provide a unified voice influencing state legislation.
    - The Great Lakes Intertribal Council, which includes tribes in Wisconsin and Upper Michigan, serves as an advisory group for state legislators seeking tribal consultation.[199]
- **Dedicated Native American events at state legislatures** can include celebrations of tribal culture and designated times for tribal leaders to address state legislatures.
    - Oklahoma American Indian Business Day at the Capitol serves to raise awareness of the American Indian businesses operating in Oklahoma.[200]

ENDNOTES

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