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CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
4/22/2008	.	
	.	
	.	

1 The Committee on Education Pre-K - 12 Appropriations (Wise)
2 recommended the following **amendment**:

3
4 **Senate Amendment (with title amendment)**

5 Delete everything after the enacting clause
6 and insert:

7 Section 1. Subsection (5) of section 1006.06, Florida
8 Statutes, is amended to read:

9 1006.06 School food service programs.--

10 (5) (a) Each district school board shall implement school
11 breakfast programs ~~in all elementary schools~~ that make breakfast
12 meals available to all students in ~~kindergarten through grade 6~~
13 ~~in each district school, unless the elementary school.~~ By the
14 beginning of the 2010-2011 school year, the school breakfast
15 programs shall make breakfast meals available to all students in
16 each elementary, middle, and high school. Each school shall, to
17 the maximum extent practicable, make breakfast meals available to



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18 students at an alternative site location, which may include, but
19 need not be limited to, "Grab 'n' Go" breakfast as described in
20 publications of the Food and Nutrition Service of the United
21 States Department of Agriculture for the federal School Breakfast
22 Program goes only through grade 5, in which case the requirement
23 shall apply only through grade 5. Each district school board
24 shall implement breakfast programs in all elementary schools in
25 which students are eligible for free and reduced price lunch
26 meals, to the extent specifically funded in the General
27 Appropriations Act.

28 (b) Beginning with the 2009-2010 school year, each school
29 district must annually set prices for breakfast meals at rates
30 that, combined with federal reimbursements, are sufficient to
31 defray costs of school breakfast programs without requiring
32 allocations from the district's operating funds, except if the
33 district school board approves lower rates.

34 (c) Each district school board is encouraged to provide
35 universal-free school breakfast meals to all students in each
36 elementary, middle, and high school. By the beginning of the
37 2010-2011 school year, each district school board shall approve
38 or disapprove a policy, after receiving public testimony
39 concerning the proposed policy at two or more regular meetings,
40 which makes universal-free school breakfast meals available to
41 all students in each elementary, middle, and high school in which
42 80 percent or more of the students are eligible for free or
43 reduced-price meals.

44 (d) Beginning with the 2009-2010 school year, each
45 elementary, middle, and high school shall make a "Grab 'n' Go"
46 breakfast meal available if a student arrives at school on the



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47 school bus less than 15 minutes before the first bell rings and
48 shall allow the student at least 15 minutes to eat the breakfast.

49 (e) Each school district shall annually provide to all
50 students in each elementary, middle, and high school information
51 prepared by the district's food service administration regarding
52 its school breakfast programs. The information shall be
53 communicated through school announcements and written notice sent
54 to all parents.

55 (f) A district school board may operate a breakfast program
56 providing for food preparation at the school site or in central
57 locations with distribution to designated satellite schools or
58 any combination thereof.

59 (g) ~~(b)~~ The commissioner shall make every reasonable effort
60 to ensure that any school designated a "severe need school"
61 receives the highest rate of reimbursement to which it is
62 entitled under pursuant to 42 U.S.C. s. 1773 for each ~~free and~~
63 ~~reduced price~~ breakfast meal served.

64 (h) ~~(c)~~ The department shall annually allocate among the
65 school districts funds provided from the ~~calculate and distribute~~
66 a school district breakfast supplement for each school year by
67 multiplying the state breakfast rate as specified in the General
68 Appropriations Act based on each district's total by the number
69 of free and reduced-price ~~reduced price~~ breakfast meals served.

70 ~~(d) The Legislature shall provide sufficient funds in the~~
71 ~~General Appropriations Act to reimburse participating school~~
72 ~~districts for the difference between the average federal~~
73 ~~reimbursement for free and reduced price breakfasts and the~~
74 ~~average statewide cost for breakfasts.~~

75 Section 2. (1) The Office of Program Policy Analysis and
76 Government Accountability, by January 15, 2009, shall submit a



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77 report to the Governor, the President of the Senate, the Speaker
78 of the House of Representatives, the members of the State Board
79 of Education, and the Commissioner of Education on school
80 district food service programs. The report shall:

81 (a) Estimate the district-by-district cost if each school
82 district implements a universal-free school breakfast program in
83 all elementary, middle, and high schools. The estimate shall
84 consider the marginal costs per breakfast meal, anticipated
85 increases in student participation rates, expected reductions in
86 the marginal costs per breakfast meal which result from increased
87 economies of scale, offsetting federal reimbursements, impact on
88 the marginal costs per breakfast meal of limiting participation
89 in a universal-free school breakfast program to schools having
90 various percentages of students eligible for free or reduced-
91 price meals, and impact on student participation rates and
92 marginal costs per breakfast meal of alternatives to serving
93 meals in school cafeterias. The estimate shall also consider the
94 experiences of specific Florida schools and school districts
95 implementing a universal-free school breakfast program.

96 (b) Determine the extent to which school district food
97 service programs are fiscally self-sufficient or require
98 financial support from other district operating funds.

99 (c) Examine for at least the previous 5 years the prices
100 that school food service programs charged for meals, the
101 frequency of price-level increases, and the relationship between
102 increases in the costs per meal and price-level increases.

103 (d) Identify best practices for the efficient and effective
104 operation of school district food service programs, which shall
105 include strategies for a school district to reduce the costs of
106 its food service programs without sacrificing the nutritional



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107 | value of meals, including, but not limited to, the use of
108 | alternatives to the daily counting of meals at the point of
109 | service which are authorized under 7 C.F.R. s. 210.7(c)(2).

110 | (e) Evaluate the methodology and forms used for school
111 | district food service programs to report their revenues and
112 | expenditures to the Department of Education. The evaluation shall
113 | assess whether the forms require food service programs to
114 | accurately report their total operating costs, including, but not
115 | limited to, food, labor, equipment, utilities, janitorial
116 | services, overhead, and indirect costs; whether the calculations
117 | submitted on the forms accurately report the average costs per
118 | meal; and whether information obtained from the forms as
119 | submitted to the department allows an equitable district-by-
120 | district comparison of the average costs per meal.

121 | (f) Assess the methodology used to allocate funds provided
122 | in the General Appropriations Act for school district food
123 | service programs and the extent to which the allocation
124 | methodology creates incentives for the fiscal efficiency of the
125 | food service programs.

126 | (g) Evaluate the organizational structure of the state for,
127 | and the state implementation and programmatic management of,
128 | federal programs administered by the Food and Nutrition Service
129 | of the United States Department of Agriculture, including, but
130 | not limited to, the National School Lunch Program, the federal
131 | School Breakfast Program, and the federal Summer Food Service
132 | Program.

133 | (2) The Office of Program Policy Analysis and Government
134 | Accountability shall consult with staff of the education
135 | committees of the Senate and House of Representatives, the
136 | Department of Education, the Department of Agriculture and



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137 Consumer Services, and the Auditor General concerning the
138 research design for the report.

139 Section 3. This act shall take effect July 1, 2008.

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141 ===== T I T L E A M E N D M E N T =====

142 And the title is amended as follows:

143 Delete everything before the enacting clause

144 and insert:

145

A bill to be entitled

146 An act relating to school food service programs; amending

147 s. 1006.06, F.S.; requiring school breakfast programs in

148 middle and high schools; providing procedures for school

149 breakfast programs; specifying requirements for setting

150 prices of breakfast meals; requiring district school

151 boards to consider policies for the provision of

152 universal-free school breakfast meals in certain schools;

153 requiring information to be communicated to students and

154 parents; clarifying the allocation of funds for school

155 breakfast programs; directing the Office of Program Policy

156 Analysis and Government Accountability to submit a report

157 on school district food service programs; providing an

158 effective date.