



345358

CHAMBER ACTION

Senate

House

.
.
.
.
.
.
.

Floor: 1/AD/2R
4/28/2008 4:20 PM

Floor: C
5/1/2008 9:16 PM

1 Senator Wise moved the following amendment:

2
3 Senate Amendment (with title amendment)

4 Delete everything after the enacting clause
5 and insert:

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

8 1006.06 School food service programs.--

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



345358

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

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

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

43 (d) Beginning with the 2009-2010 school year, each
44 elementary, middle, and high school shall make a breakfast meal
45 available if a student arrives at school on the school bus less
46 than 15 minutes before the first bell rings and shall allow the
47 student at least 15 minutes to eat the breakfast.



345358

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

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

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

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

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

74 Section 2. (1) The Office of Program Policy Analysis and
75 Government Accountability, by January 15, 2009, shall submit a
76 report to the Governor, the President of the Senate, the Speaker
77 of the House of Representatives, the members of the State Board



345358

78 of Education, and the Commissioner of Education on school
79 district food service programs. The report shall:

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

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

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

102 (d) Identify best practices for the efficient and effective
103 operation of school district food service programs, which shall
104 include strategies for a school district to reduce the costs of
105 its food service programs without sacrificing the nutritional
106 value of meals, including, but not limited to, the use of



345358

107 alternatives to the daily counting of meals at the point of
108 service which are authorized under 7 C.F.R. s. 210.7(c)(2).

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

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

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

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



345358

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

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

139
140 ===== T I T L E A M E N D M E N T =====

141 And the title is amended as follows:

142 Delete everything before the enacting clause
143 and insert:

144 A bill to be entitled
145 An act relating to school food service programs; amending
146 s. 1006.06, F.S.; requiring school breakfast programs in
147 middle and high schools; providing procedures for school
148 breakfast programs; specifying requirements for setting
149 prices of breakfast meals; requiring district school
150 boards to consider policies for the provision of
151 universal-free school breakfast meals in certain schools;
152 requiring information to be communicated to students and
153 parents; clarifying the allocation of funds for school
154 breakfast programs; directing the Office of Program Policy
155 Analysis and Government Accountability to submit a report
156 on school district food service programs; providing an
157 effective date.