

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: SB 1692

INTRODUCER: Senator Torres

SUBJECT: School Garden Programs

DATE: March 20, 2017

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Akhavein	Becker	AG	Pre-meeting
2. _____	_____	ED	_____
3. _____	_____	AP	_____

I. Summary:

SB 1692 directs the Department of Education, in collaboration with the Department of Agriculture and Consumer Services, to provide information each year to each school district about establishing school garden programs. It allows schools to distribute the produce and exempts schools from any statute or rule that prohibits a student from receiving produce or from consuming produce grown on school grounds.

II. Present Situation:

Given the right opportunities, kids will get excited about fresh fruits and vegetables and place value on good food choices. School gardens integrate hands-on science lessons with practical food production skills while increasing access and exposure to a variety of fruits and vegetables.

The Division of Food, Nutrition, and Wellness, within the Department of Agriculture and Consumer Services (department), administers several United States Department of Agriculture (USDA) Child Nutrition Programs that provide healthy food to children. These include the National School Lunch Program, School Breakfast Program, Summer Food Service Program, Fresh Fruit and Vegetable Program, and Special Milk Program. Each of these programs helps to fight hunger and obesity and promote healthy eating habits by reimbursing organizations such as schools, child care centers, and after-school programs for providing healthy meals to children.

The department currently provides technical assistance and training to schools on how to develop sustainable school garden programs, food safety with garden produce, and on methods for engaging students in an educational learning environment through the use of a school garden. The department has developed materials and programs designed to assist schools interested in establishing, or improving, a school garden, and to provide guidelines for a school's cafeteria to use the produce as part of their meal service. In 2015, the department began a school garden census, which is continually updated, and includes more than 1,300 identified school gardens

throughout the state ranging from classroom windowsill and container gardens to small farm operations located on school property and staffed by students.

In addition, the department provides outreach materials through a School Garden Guide and the development of the state's Harvest of the Month Program. Through these initiatives, schools have access to education-based curriculum that meets Florida's standards set by the Department of Education and includes information on agricultural products grown in the state as well as activities and experiments geared toward science, technology, engineering, and math (STEM) for teachers to engage students.

The department promotes the availability of federal and state grants to schools, including the USDA Farm to School Grant, Local Food Promotion Program Grant, Farmers Market Promotion Program Grant, and the state's Specialty Crop Block Grant.

Lastly, the department contracts with the Institute of Food and Agricultural Sciences at the University of Florida to develop educational learning modules that support school garden programs. This provides schools with information on garden produce as they relate to USDA Good Agricultural Practices & Good Handling Practices and the Food Safety Modernization Act.¹

III. Effect of Proposed Changes:

Section 1 creates s. 1003.481, F.S., to direct the Department of Education, in collaboration with the Department of Agriculture and Consumer Services, to provide information each year to each school district on how to establish a school garden program at schools within the district. It requires the information to include any requirements for establishing a school garden program, information on available state grants for school garden programs, and any other available resources schools may be able to access. The bill provides that a school which establishes a school garden program may select one day a week to allow students who qualify for free or reduced-price school lunch to select and receive produce from the garden. Finally, it exempts a school that establishes a school garden program from any portion of statute or rule that prohibits a student from receiving produce from or consuming produce grown in a garden on school grounds through the school garden program.

Section 2 provides that this act shall take effect July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

¹ Analysis by the Department of Agriculture and Consumer Services for SB 1692, March 15, 2017 (on file with the Agriculture Committee).

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Unknown.

VI. Technical Deficiencies:

None.

VII. Related Issues:

SB 1692 provides that a school which establishes a school garden program may select one a day a week to allow students who qualify for free or reduced-price school lunch to select and receive produce from the garden. The department has indicated that federal regulation 7 CFR 245.8 prohibits the overt identification of any child receiving free or reduced-price meals and prohibits any action that may result in a child being recognized as potentially eligible to receive or certified for-free or reduced-price school meals. Additional information related to the prohibition of overt identification can be found in USDA policy member SP 45-2012 Preventing Overt Identification of Children Certified for Free or Reduced Price School Meals.

VIII. Statutes Affected:

This bill creates section 1003.481 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.