

By Senator Torres

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1 A bill to be entitled
2 An act relating to school meals; amending s. 595.405,
3 F.S.; revising provisions relating to school nutrition
4 program requirements; requiring district school boards
5 that participate in the National School Lunch Program
6 to provide meals to a student regardless of his or her
7 ability to pay or whether he or she has any unpaid
8 meal charges; prohibiting certain students from being
9 required to destroy or dispose of a meal based on any
10 unpaid meal charges; providing an exception; requiring
11 district school boards to adopt policies regarding
12 unpaid meal charges; providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Section 595.405, Florida Statutes, is amended to
17 read:

18 595.405 School nutrition program requirements.—

19 (1) Each district school board shall consider the
20 recommendations of the district school superintendent and adopt
21 policies to provide for an appropriate food and nutrition
22 program for students consistent with federal law and department
23 rules.

24 (2) Each district school board is encouraged to provide
25 universal, free school breakfast meals to all students in each
26 elementary, middle, and high school.

27 (a) Each district school board shall implement school
28 breakfast programs that make breakfast meals available to all
29 students in each school that serves any combination of grades

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30 kindergarten through 5.

31 (b)~~(3)~~ Each district school board must annually set prices
32 for breakfast meals at rates that, combined with federal
33 reimbursements and state allocations, are sufficient to defray
34 costs of school breakfast programs without requiring allocations
35 from the district's operating funds, except if the district
36 school board approves lower rates.

37 (c)~~(4)~~ Each school operating a breakfast program shall make
38 a breakfast meal available if a student arrives at school on the
39 school bus less than 15 minutes before the first bell rings and
40 shall allow the student at least 15 minutes to eat the
41 breakfast.

42 (d)~~(5)~~ ~~Each district school board is encouraged to provide~~
43 ~~universal, free school breakfast meals to all students in each~~
44 ~~elementary, middle, and high school.~~ A universal school
45 breakfast program shall be implemented in each school in which
46 80 percent or more of the students are eligible for free or
47 reduced-price meals, unless the district school board, after
48 considering public testimony at two or more regularly scheduled
49 board meetings, decides not to implement such a program in such
50 schools.

51 (e)~~(6)~~ To increase school breakfast and universal school
52 breakfast program participation, each district school board
53 must, to the maximum extent practicable, make breakfast meals
54 available to students through alternative service models as
55 described in publications of the Food and Nutrition Service of
56 the United States Department of Agriculture for the federal
57 School Breakfast Program.

58 (f)~~(7)~~ Each district school board shall annually provide

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59 information prepared by the district's food service
60 administration regarding available school breakfast programs.
61 The information shall be communicated through school
62 announcements and notices sent to all parents.

63 (g) ~~(8)~~ A district school board may operate a breakfast
64 program providing for food preparation at the school site or in
65 central locations with distribution to designated satellite
66 schools, or any combination thereof.

67 (3) A district school board that participates in the
68 National School Lunch Program must:

69 (a) Provide a meal under the program to any student who
70 requests one, regardless of his or her ability to pay or whether
71 he or she has any unpaid meal charges.

72 1. A student who is provided a meal under this paragraph
73 may not be required to destroy or otherwise dispose of the meal
74 because he or she has unpaid meal charges.

75 2. This paragraph does not apply if the parent or guardian
76 of a student has given written permission to the school district
77 to withhold a meal from the student.

78 (b) Adopt policies for unpaid meal charges that include:

79 1. Requirements that protect students with unpaid meal
80 charges from being publicly identified or stigmatized because of
81 such charges.

82 2. Procedures for a student who has \$10 or more in unpaid
83 meal charges which require:

84 a. A determination as to whether the student may qualify
85 for a free or reduced-price meal without an application.

86 b. That at least two attempts are made to contact the
87 parent or guardian about completing an application for free or

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88 reduced-price meals which include the offer of assistance with
89 the application.

90 Section 2. This act shall take effect July 1, 2021.