

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: CS/SB 2096

SPONSOR: Education Committee and Senator Wise

SUBJECT: Children's Summer Nutrition Act

DATE: March 25, 2004

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>deMarsh-Mathues</u>	<u>O'Farrell</u>	<u>ED</u>	<u>Favorable/CS</u>
2.	_____	_____	<u>AED</u>	_____
3.	_____	_____	<u>AP</u>	_____
4.	_____	_____	<u>RC</u>	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The bill creates the Children's Summer Nutrition Act. The Florida Department of Education's (DOE) Food and Nutrition Office must develop a plan for ensuring that summer food programs operate in each school district for 2005, subject to specific criteria. The bill sets forth requirements for DOE and school districts and provides procedures for districts that request an exemption from operating a program. School superintendents must implement the plan for the summer food program and may collaborate with local government and private, nonprofit leaders to develop the plan.

This bill creates an unspecified section of the Florida Statutes.

The effective date is July 1, 2004.

II. Present Situation:

The federally funded Summer Food Service Program for Children is operated nationally by the U.S. Department of Agriculture. The program is administered by the Florida Department of Education and provides meals during the summer for children 18 and under at approved sites in low-income areas. Programs are approved for geographical areas of need where 50 percent or more of the children qualify for free and reduced price meals during the school year. The U.S. Department of Agriculture updates income eligibility guidelines each year. The program is often offered in conjunction with summer enrichment activities or recreation programs. Program sponsors can be schools, private non-profit organizations, or camps.

Sponsors are reimbursed for operating and administrative costs by the U.S. Department

Agriculture with funds distributed through the Department of Education.

According to the U.S. Department of Agriculture, only a fraction of the eligible low-income children have access to summer meals, even though millions of children depend on free and reduced price meals and snacks served at school during most of the year. In Florida, the average daily attendance in the summer food program in 2003 was 115,535 children.¹

Current law (s. 1006.0605, F.S.) relating to food services does not address the summer food program. According to the DOE, school districts that intend to participate in the summer food program this summer, either as direct sponsors or through others (e.g., Department of Parks and Recreation, YMCA camps, Police Athletic League, College Reach Out Program, and Boys and Girls club) include the following: Baker, Bay, Bradford, Broward, Charlotte, Collier, Dixie, Duval, Franklin, Gilchrist, Hamilton, Hardee, Hillsborough, Indian River, Jackson, Lake, Leon, Levy, Madison, Miami-Dade, Monroe, Palm Beach, Pinellas, Putnam, St. Lucie, Santa Rosa, Seminole, Sumter, Suwannee, Taylor, Volusia, and Washington.² The number of districts that plan to participate in the program in conjunction with summer reading programs is unknown.

Some of these districts (e.g., Bradford) will participate in the program through a seamless waiver, meaning that the districts receive a federal waiver of paperwork and administrative requirements to operate the summer food program. Some districts indicated that they do not intend to participate in the program this summer.

III. Effect of Proposed Changes:

The bill creates the Children's Summer Nutrition Act requiring the DOE Food and Nutrition Office to develop a plan for ensuring that at least one summer food program operates in each school district, subject to the following criteria:

- By summer of 2005, at least one summer food program must operate in each school district as follows:
 - for a minimum of 40 days in the summer;
 - within 5 miles of an elementary school at which 50 percent or more of the students are eligible for free or reduced-price school meals.

The bill provides procedures for school boards that request an exemption from operating a program, including a discussion on continuing the exemption at a public school board meeting that is followed by a vote of the school board on the exemption. The Commissioner of Education must provide notice to school boards on the expiration of the exemption.

DOE must designate a person on its administrative staff to coordinate the activities needed to implement the first part of the plan. DOE must determine the eligible schools, based on a school indicator report for eligibility for free or reduced-price school meals. This information must be provided to school superintendents each year. For school districts to determine adequate coverage of need and placement of sites for the program, DOE must annually provide the districts with a list of local organizations that have filed letters of intent to participate. Any nonprofit organization may serve as a program site or sponsor.

¹ U.S. Department of Agriculture, Preliminary 2003 data as of February 25, 2004.

² Florida DOE District Survey Responses, March 10, 2004.

While school superintendents must implement the plan, they may collaborate with local government and private, nonprofit leaders to develop the plan. The bill contains school district reporting requirements for summer food sites that comply with the statutory requirements.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The Summer Food Service Program generally provides up to two meals or a meal and a snack for children up to age 18 at approved sites in low- income areas. Under the bill, potentially, children will realize nutritional benefit and their families may experience budget relief by having some of their children's meals provided through the program.

C. Government Sector Impact:

The federal government reimburses approved sponsors based on the number of meals served and the documented operating and administrative costs associated with the Summer Food Service Program. No additional state match is required for these federal funds. A school district may request an exemption from operating a program, if the district follows the procedures specified in the bill.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
