



Effective: July 1, 2010

West's Florida Statutes Annotated [Currentness](#)

Title XLVIII. K-20 Education Code (Chapters 1000-1013)

Chapter 1006. Support for Learning ([Refs & Annos](#))

▢ [Part I](#). Public K-12 Education Support for Learning and Student Services

▢ [B](#). Student Food and Health Services

→ **1006.06. School food service programs**

(1) In recognition of the demonstrated relationship between good nutrition and the capacity of students to develop and learn, it is the policy of the state to provide standards for school food service and to require district school boards to establish and maintain an appropriate private school food service program consistent with the nutritional needs of students.

(2) The State Board of Education shall adopt rules covering the administration and operation of the school food service programs.

(3) Each district school board shall consider the recommendations of the district school superintendent and adopt policies to provide for an appropriate food and nutrition program for students consistent with federal law and State Board of Education rule.

(4) The state shall provide the state National School Lunch Act matching requirements. The funds provided shall be distributed in such a manner as to comply with the requirements of the National School Lunch Act.

(5)(a) Each district school board shall implement school breakfast programs that make breakfast meals available to all students in each elementary school. By the beginning of the 2010-2011 school year, universal school breakfast programs shall be offered in schools in which 80 percent or more of the students are eligible for free or reduced-price meals. Each school shall, to the maximum extent practicable, make breakfast meals available to students at an alternative site location, which may include, but need not be limited to, alternative breakfast options as described in publications of the Food and Nutrition Service of the United States Department of Agriculture for the federal School Breakfast Program.

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

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

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

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

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

(g) The commissioner shall make every reasonable effort to ensure that any school designated a "severe need school" receives the highest rate of reimbursement to which it is entitled under [42 U.S.C. s. 1773](#) for each breakfast meal served.

(h) The department shall annually allocate among the school districts funds provided from the school breakfast supplement in the General Appropriations Act based on each district's total number of free and reduced-price breakfast meals served.

(6) The Legislature, recognizing that school children need nutritious food not only for healthy physical and intellectual development but also to combat diseases related to poor nutrition and obesity, establishes the **Florida Farm Fresh Schools Program** within the Department of Education as the lead agency for the program. The program shall comply with the regulations of the National School Lunch Program and require:

(a) The Department of Education to work with the Department of Agriculture and Consumer Services to develop policies pertaining to school food services which encourage:

1. School districts to buy fresh and high-quality foods grown in this state when feasible.
2. Farmers in this state to sell their products to school districts and schools.
3. School districts and schools to demonstrate a preference for competitively priced organic food products.

(b) School districts and schools to make reasonable efforts to select foods based on a preference for those that have maximum nutritional content.

(c) The Department of Education, in collaboration with the Department of Agriculture and Consumer Services, to provide outreach, guidance, and training to school districts, schools, school food service directors, parent and teacher organizations, and students about the benefits of fresh food products from farms in this state.

CREDIT(S)

Added by [Laws 2002, c. 2002-387, § 271, eff. Jan. 7, 2003](#). Amended by [Laws 2008, c. 2008-190, § 1, eff. July 1, 2008](#); [Laws 2009, c. 2009-59, § 16, eff. July 1, 2009](#); [Laws 2010, c. 2010-183, § 1, eff. July 1, 2010](#).

HISTORICAL AND STATUTORY NOTES

Prior Laws:

[Fla.St.2001, § 228.195](#).

Laws 2001, c. 2001-61, § 10.

Laws 1997, c. 97-190, § 80.

Laws 1990, c. 90-288, § 44.

Laws 1990, c. 90-172, § 2.

Laws 1989, c. 89-221, § 1.

Laws 1979, c. 79-354, § 1.

Laws 1972, c. 72-316, §§ 1 to 4.

CROSS REFERENCES

Food and Nutrition Services Trust Fund, see [§ 1010.77](#).

LIBRARY REFERENCES

[Schools](#)  157.

Westlaw Topic No. 345.

[C.J.S. Schools and School Districts §§ 722 to 725](#).

RESEARCH REFERENCES

Encyclopedias

School Food Service and Nutrition Programs, [FL Jur. 2d Schools, Universities, & Colleges § 282](#).

West's F. S. A. § 1006.06, FL ST § 1006.06

Current through Chapter 279 (End) of the 2010 Second Regular Session of the Twenty-First Legislature

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