

The House Committee on Education offers the following substitute to HB 1098:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
2 relating to local boards of education, so as to encourage for the establishment of at least one
3 summer food service program in each local school system for at least 40 days during the
4 summer months within five miles of an elementary school; to provide standards and
5 guidelines for participation; to provide for promulgation of rules and regulations; to provide
6 for related matters; to provide for an effective date; to repeal conflicting laws; and for other
7 purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to local
11 boards of education, is amended by adding a new Code Section 20-2-66.1 to read as follows:
12 "20-2-66.1.

13 (a) Each local school system in this state is encouraged to establish a summer food service
14 program for all students eligible for free and reduced price school meals for at least 40
15 consecutive week days during the period between the spring quarter or semester and the
16 fall quarter or semester.

17 (b) Each local school system operating a summer food service program pursuant to this
18 Code section will be reimbursed by the Summer Food Service Program available through
19 the Georgia Department of Early Care and Learning at the federal reimbursement rate per
20 meal prepared and served or the Seamless Summer Meal Waiver Program available
21 through the Georgia Department of Education at the federal reimbursement rate per meal
22 prepared and served. Reimbursement to a local school system for a summer food service
23 program shall be automatically terminated if federal funding for the program ceases.

24 (c) The Georgia Department of Early Care and Learning shall promulgate rules and
25 regulations for the summer food service programs which shall:

- 1 (1) Establish the minimum nutritional requirements which meet or exceed the minimum
2 federal regulations;
- 3 (2) Provide for compliance with the standards and regulations of the National School
4 Lunch Act and Child Nutrition Act of 1966, 42 U.S.C. Section 1751, et. seq.;
- 5 (3) Use the October School Indicator Report on free and reduced price school meal
6 eligibility to determine those elementary schools in each school district that have
7 established a program pursuant to subsection (a) of this Code section. The School
8 Nutrition Section of the Georgia Department of Education shall provide such data to the
9 superintendent of each local school system and to the Georgia Department of Early Care
10 and Learning by November 30 of each year;
- 11 (4) Provide by February 15 of each year to the superintendent of each local school
12 system a list of local community organizations that have filed an Intent to Participate
13 letter with the Georgia Department of Early Care and Learning;
- 14 (5) Provide that it is the responsibility of the superintendent of each local school system
15 to implement a collaborative plan that may include local county and municipal
16 governments and private, nonprofit, social service agencies and organizations to ensure
17 outreach and access to the summer food service program;
- 18 (6) Require local school systems to indicate to the Georgia Department of Early Care and
19 Learning the school system's plans for summer food service program sponsors and sites
20 by May 15 of each year;
- 21 (7) Utilize the federal standards of income eligibility for free or reduced price school
22 lunches used for the Summer Food Service Program of the Department of Early Care and
23 Learning and the Seamless Waiver Program of the Georgia Department of Education for
24 participation by low-income children;
- 25 (8) Provide guidance and assistance to the local school systems for applying for and
26 obtaining any applicable federal start-up grant money; and
- 27 (9) Encourage the use of local food producers and purveyors."

28 **SECTION 2.**

29 This Act shall become effective upon its approval by the Governor or upon its becoming law
30 without such approval.

31 **SECTION 3.**

32 All laws and parts of laws in conflict with this Act are repealed.