



Ohio Legislative Service Commission

Bill Analysis

Hannah K. Wann

Am. S.B. 247

131st General Assembly
(As Passed by the Senate)

Sens. Brown and Lehner, Bacon, Cafaro, Hite, Seitz, Tavares, Thomas, Yuko, Coley, Beagle, Skindell, Balderson, Eklund, Faber, Gardner, Gentile, Hackett, Hottinger, Hughes, LaRose, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Uecker, Williams

BILL SUMMARY

- Requires a school district that opts out of offering summer food services (for financial reasons) to permit an approved summer food service program sponsor to use a school facility where at least one-half of the students in the facility are eligible for free lunches.

CONTENT AND OPERATION

Use of school facilities by summer food service program sponsors

Under current law, the State Board of Education must require each district board to establish one of the following when the district provides summer academic intervention services: (1) an extension during the summer of the school breakfast program, (2) an extension during the summer of the school lunch program, or (3) a summer food service program.¹ A district board may opt out the summer food requirement if the board determines that it cannot comply for financial reasons.²

The bill provides that, if a district board opts out of offering summer food programs, the State Board nevertheless must require the district board to permit an approved summer food service program sponsor to use school facilities in a school building where at least one-half of the students are eligible for free lunches. The

¹ R.C. 3313.813(C)(3).

² R.C. 3313.813(C)(4)(a).

Department of Education must post in a prominent location on the Department's website a list of approved sponsors for this purpose.

Subject to laws governing the use of school facilities generally and for public meetings and entertainment, the bill permits a district board to charge the summer food service program sponsor a reasonable fee for the use of school facilities. The fee may include the actual cost of custodial services, charges for the use of school equipment, and a prorated share of the utility costs as determined by the district board.

Under the bill, a school district must require the summer food service program sponsor to indemnify and hold harmless the district from any potential liability resulting from the operation of the summer food service program by either (1) adding the summer food service program sponsor, as an additional insured party, to the district's existing liability insurance policy or (2) requiring the summer food service program sponsor to submit evidence of a separate liability insurance policy, for an amount approved by the district board. The summer food service program sponsor is to be responsible for any costs incurred in obtaining the coverage under either option.³

HISTORY

ACTION	DATE
Introduced	11-23-15
Reported, S. Finance	05-25-16
Passed Senate (33-0)	05-25-16

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³ R.C. 3313.813(C)(4)(c).

