



Ohio Legislative Service Commission

Bill Analysis

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Am. S.B. 247*

131st General Assembly
(As Reported by S. Finance)

Sens. Brown and Lehner, Bacon, Cafaro, Hite, Seitz, Tavares, Thomas, Yuko

BILL SUMMARY

- Requires a school district board of education that opts not to comply (for financial reasons) with a requirement to offer summer food services to permit an approved summer food service program sponsor to use a school facility if at least one-half of the students in the facility's attendance area are eligible for free lunches.

CONTENT AND OPERATION

Use of school facilities by summer food service program sponsors

The bill changes Ohio law governing the requirement to offer summer food services if a school district board of education offers mandated summer academic intervention services. Under current law, the State Board of Education must require each district board to establish one of the following *if* mandated summer academic intervention services are being offered by the district board: (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 of complying with the summer food requirement if the board determines that it cannot comply for financial reasons.²

The bill provides that if a district board chooses to opt out of compliance, the State Board must nevertheless require the district board to permit an approved summer

* This analysis was prepared before the report of the Senate Finance Committee appeared in the Senate Journal. Note that the list of co-sponsors and the legislative history may be incomplete.

¹ R.C. 3313.813(C)(3).

² R.C. 3313.813(C)(4)(a).

food service program sponsor to use school facilities located in a school building attendance area where at least one-half of the students are eligible for free lunches. The 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	---

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³ R.C. 3313.813(C)(4)(c).

