

A bill to be entitled

An act relating to children's summer nutrition program; providing a popular name; requiring each school district to develop a plan to sponsor at least one summer nutrition program by a specified date; providing for criteria for the summer nutrition program; providing that a school board may choose to be exempt from operating a summer nutrition program; providing procedures for the school district to become exempt; directing the school board to notify the Commissioner of Education of its decision; requiring a school board to reconsider its decision each year; authorizing a not-for-profit entity to sponsor the summer nutrition program; providing that a superintendent of schools may collaborate with specified agencies to implement a summer food nutrition program; directing the Department of Education to provide each school district with a list of organizations intending to participate by a specified date; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Children's summer nutrition program.--

(1) This section may be referred to by the popular name the "Ms. Willie Ann Glenn Act."

(2) By May 1, 2005, each school district shall develop a plan to sponsor at least one summer nutrition program to operate in the school district for at least 40 consecutive days during the summer months. The summer nutrition program shall operate to

29 | the extent possible within 5 miles of an elementary school at
30 | which 50 percent or more of the students are eligible for free
31 | or reduced-price school meals, unless the school board requests
32 | an exemption.

33 | (3)(a) If a school board intends to be exempt from the
34 | requirement to operate a summer nutrition program, it must
35 | include the issue on an agenda at a regular or special school
36 | board meeting that is publicly noticed, provide residents an
37 | opportunity to participate in the discussion, and vote on
38 | whether to be exempt from this section. The school board shall
39 | notify the Commissioner of Education within 10 days after it
40 | decides to become exempt from this section.

41 | (b) Each year the school board shall reconsider its
42 | decision and shall vote on whether to continue the exemption
43 | from sponsoring a summer nutrition program. The school board
44 | shall notify the Commissioner of Education within 10 days after
45 | each subsequent year's decision whether to continue the
46 | exemption.

47 | (c) If a school board elects to be exempt from sponsoring
48 | a summer nutrition program under this section, the school board
49 | may encourage not-for-profit entities to sponsor the program. If
50 | a not-for-profit entity chooses to sponsor the summer nutrition
51 | program but fails to perform with regard to the program, the
52 | district school board, the district, and the Department of
53 | Education are not required to continue the program and shall be
54 | held harmless from any liability arising from the
55 | discontinuation of the summer food program.

56 | (4) The superintendent of schools may collaborate with
57 | municipal and county governmental agencies and private,
58 | nonprofit leaders in implementing the plan. Although schools
59 | have proven to be the optimal site for a summer food program,
60 | any nonprofit organization may serve as a site or sponsor. By
61 | April 15 of each year, each participating school district shall
62 | report to the department the district's summer food sites in
63 | compliance with this section.

64 | (5) The department shall provide to each school district
65 | by February 15 of each year a list of local organizations that
66 | have filed letters of intent to participate, so that a school
67 | district can determine how many sites are needed to serve the
68 | children and where to place each site.

69 | Section 2. This act shall take effect July 1, 2004.

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