

By the Committee on Education; and Senators Wise and Bullard

304-2308-04

1 A bill to be entitled
2 An act relating to providing nutrition to
3 children; providing a short title; requiring
4 the Food and Nutrition Management Office of the
5 Department of Education to develop a plan for
6 providing, in each school district, summer food
7 programs that serve children who qualify for
8 free or reduced-price lunches during the school
9 year; providing procedures for exemptions;
10 providing requirements of the department and of
11 the superintendent of schools; requiring the
12 school districts to report to the department
13 annually; providing an effective date.

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

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17 Section 1. Children's Summer Nutrition Act.--

18 (1) This section may be cited as the "Children's
19 Summer Nutrition Act."

20 (2) The Food and Nutrition Management Office of the
21 Department of Education shall develop a plan to ensure that,
22 by the summer of 2005, at least one summer food program shall
23 operate in each school district for at least 40 days during
24 the summer months within 5 miles of an elementary school at
25 which 50 percent or more of the students are eligible for free
26 or reduced-price school meals. The department shall designate
27 a person on its administrative staff who shall coordinate
28 activities to implement this subsection.

29 (3)(a) If a school board requests an exemption from
30 operating a summer nutrition program annually, it shall
31 conduct a discussion on whether to continue the exemption. The

1 pending discussion shall be included on the agenda at a
2 regular or special school board meeting publicly noticed, and
3 citizens shall be provided an opportunity to participate in
4 the discussion. The school board shall send a copy of the
5 notice to the Commissioner of Education at least 10 days prior
6 to the meeting and shall send a copy of the agenda and minutes
7 to the commissioner following the meeting. Following the
8 discussion, the school board shall vote on whether to continue
9 the exemption for 1 additional year.

10 (b) On or before March 1, of the year in which an
11 exemption under this section is due to expire, the
12 commissioner shall notify the school board in writing that the
13 exemption will expire.

14 (4) The department shall use the October school
15 indicator report on eligibility for free or reduced-price
16 school meals to determine which elementary schools in each
17 school district meet the criteria set forth in subsections (2)
18 and (3). The department shall provide such information to each
19 superintendent of schools by November 30 of each year.

20 (5) The superintendent of schools in each school
21 district shall implement the plan to ensure access to the
22 Summer Food Service Program. The superintendents of schools
23 may collaborate with municipal and county government and
24 private, nonprofit leaders in development of the plan.
25 Although schools have proven to be the optimal sites for a
26 summer food program, any nonprofit organization may serve as a
27 site or sponsor. By May 15 of each year, each school district
28 shall report to the department the district's summer food
29 sites in compliance with this act.

30 (6) The department shall provide to each school
31 district by February 15 of each year a list of local

1 organizations that have filed letters of intent to
2 participate, so that the school districts can determine
3 adequate coverage of need and placement of sites.

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

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6 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
7 COMMITTEE SUBSTITUTE FOR
8 SB 2096

9 Provides procedures for school boards that request an
10 exemption from operating a summer food program and for written
11 notice by the Commissioner of Education to school boards on
12 the expiration of the exemption. Allows school superintendents
13 to collaborate with others in developing a plan.
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