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A bill to be entitled
 An act relating to children's summer nutrition programs;
 providing a popular name; requiring each district school
 board to develop a plan to sponsor a summer nutrition
 program; providing criteria for operating summer nutrition
 program sites; authorizing exemption from sponsoring a
 summer nutrition program and providing procedures
 therefor; requiring a district school board to annually
 reconsider its decision to be exempt; authorizing district
 school boards to encourage not-for-profit entities to
 sponsor a summer nutrition program under certain
 circumstances; authorizing a superintendent of schools to
 collaborate with specified agencies to implement a summer
 nutrition program; providing for reporting; directing the
 Department of Education to provide each district school
 board with a list of organizations intending to
 participate; 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 cited as the "Ms. Willie Ann Glenn
 Act."

(2) Each district school board shall develop a plan by May
 1, 2006, to sponsor a summer nutrition program beginning the
 summer of 2006 to operate sites in the school district as
 follows:

(a) Within 5 miles of at least one elementary school at

29 which 50 percent or more of the students are eligible for free
30 or reduced-price school meals and for the duration of 40
31 consecutive days; and

32 (b) Except as operated pursuant to paragraph (a), within
33 10 miles of each elementary school at which 50 percent or more
34 of the students are eligible for free or reduced-price school
35 meals.

36 (3)(a) District school boards may be exempt from
37 sponsoring a summer nutrition program pursuant to this section.
38 A district school board seeking such exemption must include the
39 issue on an agenda at a regular or special district school board
40 meeting that is publicly noticed, provide residents an
41 opportunity to participate in the discussion, and vote on
42 whether to be exempt from this section. The district school
43 board shall notify the Commissioner of Education within 10 days
44 after it decides to become exempt from this section.

45 (b) Each year the district school board shall reconsider
46 its decision to be exempt from the provisions of this section
47 and shall vote on whether to continue the exemption from
48 sponsoring a summer nutrition program. The district school board
49 shall notify the Commissioner of Education within 10 days after
50 each subsequent year's decision to continue the exemption.

51 (c) If a district school board elects to be exempt from
52 sponsoring a summer nutrition program under this section, the
53 district school board may encourage not-for-profit entities to
54 sponsor the program. If a not-for-profit entity chooses to
55 sponsor the summer nutrition program but fails to perform with
56 regard to the program, the district school board, the school

57 district, and the Department of Education are not required to
58 continue the program and shall be held harmless from any
59 liability arising from the discontinuation of the summer
60 nutrition program.

61 (4) The superintendent of schools may collaborate with
62 municipal and county governmental agencies and private, not-for-
63 profit leaders in implementing the plan. Although schools have
64 proven to be the optimal site for a summer nutrition program,
65 any not-for-profit entity may serve as a site or sponsor. By
66 April 15 of each year, each school district with a summer
67 nutrition program shall report to the department the district's
68 summer nutrition program sites in compliance with this section.

69 (5) The department shall provide to each district school
70 board by February 15 of each year a list of local organizations
71 that have filed letters of intent to participate in the summer
72 nutrition program in order that a district school board is able
73 to determine how many sites are needed to serve the children and
74 where to place each site.

75 Section 2. This act shall take effect July 1, 2005.