

1 A bill to be entitled
 2 An act relating to children's summer nutrition programs;
 3 providing a popular name; requiring each district school
 4 board to develop a plan to sponsor a summer nutrition
 5 program; providing criteria for operating summer nutrition
 6 program sites; authorizing exemption from sponsoring a
 7 summer nutrition program and providing procedures
 8 therefor; requiring a district school board to annually
 9 reconsider its decision to be exempt; authorizing district
 10 school boards to encourage not-for-profit entities to
 11 sponsor a summer nutrition program under certain
 12 circumstances; authorizing a superintendent of schools to
 13 collaborate with specified agencies and private, not-for-
 14 profit leaders to implement a summer nutrition program;
 15 providing for reporting; directing the Department of
 16 Education to provide each district school board with a
 17 list of organizations intending to participate; providing
 18 an effective date.

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

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 22 Section 1. Children's summer nutrition program.--
 23 (1) This section may be cited as the "Ms. Willie Ann Glenn
 24 Act."
 25 (2) Each district school board shall develop a plan by May
 26 1, 2006, to sponsor a summer nutrition program beginning the
 27 summer of 2006 to operate sites in the school district as
 28 follows:

29 (a) Within 5 miles of at least one elementary school at
30 which 50 percent or more of the students are eligible for free
31 or reduced-price school meals and for the duration of 35
32 consecutive days; and

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

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

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

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

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

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

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

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