

## ENROLLED

HB 227, Engrossed 1

2005 Legislature

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.

19  
20 Be It Enacted by the Legislature of the State of Florida:

21  
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

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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.