

By Senator Wise

5-450-05

See HB 227

1                                   A bill to be entitled

2           An act relating to children's summer nutrition

3           programs; providing a popular name; requiring

4           each district school board to develop a plan to

5           sponsor a summer nutrition program; providing

6           criteria for operating summer nutrition program

7           sites; authorizing exemption from sponsoring a

8           summer nutrition program and providing

9           procedures therefor; requiring a district

10          school board to annually reconsider its

11          decision to be exempt; authorizing district

12          school boards to encourage not-for-profit

13          entities to sponsor a summer nutrition program

14          under certain circumstances; authorizing a

15          superintendent of schools to collaborate with

16          specified agencies to implement a summer

17          nutrition program; providing for reporting;

18          directing the Department of Education to

19          provide each district school board with a list

20          of organizations intending to participate;

21          providing an effective date.

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

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

26           (1) This section may be cited as the "Ms. Willie Ann

27 Glenn Act."

28           (2) Each district school board shall develop a plan by

29 May 1, 2006, to sponsor a summer nutrition program beginning

30 the summer of 2006 to operate sites in the school district as

31 follows:

1           (a) Within 5 miles of at least one elementary school  
2 at which 50 percent or more of the students are eligible for  
3 free or reduced-price school meals and for the duration of 40  
4 consecutive days; and

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

9           (3)(a) District school boards may be exempt from  
10 sponsoring a summer nutrition program pursuant to this  
11 section. A district school board seeking such exemption must  
12 include the issue on an agenda at a regular or special  
13 district school board meeting that is publicly noticed,  
14 provide residents an opportunity to participate in the  
15 discussion, and vote on whether to be exempt from this  
16 section. The district school board shall notify the  
17 Commissioner of Education within 10 days after it decides to  
18 become exempt from this section.

19           (b) Each year the district school board shall  
20 reconsider its decision to be exempt from the provisions of  
21 this section and shall vote on whether to continue the  
22 exemption from sponsoring a summer nutrition program. The  
23 district school board shall notify the Commissioner of  
24 Education within 10 days after each subsequent year's decision  
25 to continue the exemption.

26           (c) If a district school board elects to be exempt  
27 from sponsoring a summer nutrition program under this section,  
28 the district school board may encourage not-for-profit  
29 entities to sponsor the program. If a not-for-profit entity  
30 chooses to sponsor the summer nutrition program but fails to  
31 perform with regard to the program, the district school board,

1 the school district, and the Department of Education are not  
2 required to continue the program and shall be held harmless  
3 from any liability arising from the discontinuation of the  
4 summer nutrition program.

5 (4) The superintendent of schools may collaborate with  
6 municipal and county governmental agencies and private,  
7 not-for-profit leaders in implementing the plan. Although  
8 schools have proven to be the optimal site for a summer  
9 nutrition program, any not-for-profit entity may serve as a  
10 site or sponsor. By April 15 of each year, each school  
11 district with a summer nutrition program shall report to the  
12 department the district's summer nutrition program sites in  
13 compliance with this section.

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

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