

House Bill No. 227

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 and private, not-for-profit leaders 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 which 50 percent or more of the students are eligible for free or reduced-price school meals and for the duration of 35 consecutive days; and

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

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

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

(c) If a district school board elects to be exempt from sponsoring a summer nutrition program under this section, the district school board may encourage not-for-profit entities to sponsor the program. If a not-for-profit entity chooses to sponsor the summer nutrition program but fails to perform with regard to the program, the district school board, the school district, and the Department of Education are not required to continue the program and shall be held harmless from any liability arising from the discontinuation of the summer nutrition program.

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

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

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

Approved by the Governor May 26, 2005.

Filed in Office Secretary of State May 26, 2005.