

By the Committee on Education and Senators Scott, Diaz-Balart, King, Sullivan, Casas, Latvala, Campbell and Horne

304-1701-00

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A bill to be entitled  
An act relating to education; creating s.  
228.507, F.S.; directing the Commissioner of  
Education to make recommendations to the  
Legislature for funding off-site learning  
grants; providing for a review panel; providing  
requirements for grant recipients; authorizing  
rulemaking; providing an effective date.

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

Section 1. Section 228.507, Florida Statutes, is  
created to read:

228.507 Off-site learning grants.--

(1)(a) The Commissioner of Education shall annually  
make recommendations to the Legislature for funding off-site  
learning grants to nonprofit and community-based  
organizations, including mathematics, science, art, and  
environmental facilities that provide learning opportunities  
for public school students in nontraditional settings.  
Organizations must demonstrate the educational components of  
their program. Funding from the Public Education Capital  
Outlay and Debt Service Trust Fund as authorized in s. 235.42,  
the Florida School Improvement and Academic Achievement Trust  
Fund as authorized by s. 236.12295, the Classrooms First  
Program as authorized in s. 235.187, the effort index grants  
as authorized in s. 235.186, and the Public Education Capital  
Outlay and Debt Service Trust Fund as authorized in s. 9, Art.  
XII of the State Constitution may not be used for off-site  
learning grants.

1           (b) In making recommendations, the commissioner shall  
2 annually appoint a review panel to assist in the grant-review  
3 process. Review panel members shall be appointed to serve for  
4 1-year terms. The panel shall review grant applications and  
5 make recommendations to the commissioner concerning the  
6 relative merits of the applicants. The department shall by  
7 rule establish criteria for reviewing grant applications to  
8 ensure compliance with applicable federal and state laws  
9 relating to discrimination and conflicts of interest.

10           (c) The review panel shall provide a forum for public  
11 comment before voting on any grant application.

12           (2) The commissioner shall annually include in the  
13 department's legislative budget request a recommendation for  
14 funding off-site learning grants. The recommendation must  
15 include the panel's ranking of applicants and recommended  
16 funding levels for each grant.

17           (3)(a) Upon appropriation by the Legislature of  
18 funding for these grants, the department shall execute a  
19 contract with each organization which must contain information  
20 relating to the program, the projected operating income and  
21 expenses, and other provisions considered necessary by the  
22 department for the administration of the program.

23           (b) Each recipient organization must submit an annual  
24 report to the department detailing the expenditure of the  
25 funds and is subject to the auditing provisions and rules of  
26 the department.

27           (c) The recipient of a grant shall comply with all  
28 provisions of statute and rule as outlined in the grant.

29           ~~(c) Each organization shall have an annual postaudit~~  
30 ~~or independent attestation of its financial accounts as~~  
31 ~~specified in s. 216.349 conducted by an independent certified~~

1 ~~public accountant. The annual audit report must be submitted~~  
2 ~~to the department for review. The department may require and~~  
3 ~~receive from the recipient institution or from its independent~~  
4 ~~auditor any detail or supplemental data relating to the~~  
5 ~~operation of the institution.~~

6 (d) The department shall adopt rules necessary to  
7 administer this section.

8 Section 2. This act shall take effect upon becoming a  
9 law.

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11 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
12 COMMITTEE SUBSTITUTE FOR  
13 SB1122

14 Deletes requirement of annual postaudit or independent  
15 attestation of its financial accounts by an independent  
16 certified public accountant and submission to the Department  
of Education.

17 The Department may not require the recipient institution or  
18 its independent auditor to report any detail or supplemental  
data realting to the operation of the institution.

19 The grant recipient shall comply with all provsions of statute  
and rule as outlined in the grant.

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