

By Senator Campbell

33-1380-00

1                                   A bill to be entitled  
 2           An act relating to education; creating s.  
 3           228.60, F.S.; providing for the Commissioner of  
 4           Education to make annual recommendations to the  
 5           Legislature relating to funding Florida Offsite  
 6           Learning Grants; providing the purposes of such  
 7           grants; prohibiting the use of specified  
 8           sources to fund such grants; providing for the  
 9           commissioner to appoint a review panel to  
 10          assist in reviewing grant applications;  
 11          requiring the provision of a public forum;  
 12          requiring the commissioner to include funding  
 13          recommendations in the Department of  
 14          Education's annual budget request; requiring a  
 15          contract between the department and each grant  
 16          recipient; requiring each grant recipient to  
 17          submit an annual report to the department;  
 18          requiring each recipient to have an annual  
 19          postaudit of its financial accounts conducted  
 20          and to submit a copy to the department;  
 21          providing for rulemaking by the department.

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

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 25           Section 1. Section 228.60, Florida Statutes, is  
 26           created to read:

27           228.60 Florida Offsite Learning Grants.--  
 28           (1)(a) The Commissioner of Education shall annually  
 29           make recommendations to the Legislature for funding Florida  
 30           Offsite Learning Grants to nonprofit and community-based  
 31           organizations, including math, science, art, and environmental

1 facilities that provide learning opportunities for public  
2 school students in nontraditional settings. In order to  
3 qualify for a grant under this section, an organization must  
4 demonstrate the educational components of its program. Funds  
5 for Florida Offsite Learning Grants may not be taken out of  
6 the Florida School Improvement and Academic Achievement Trust  
7 Fund as authorized under s. 236.12295, the Classrooms First  
8 Program authorized in s. 235.187, the effort index grants  
9 authorized in s. 235.186, or the Public Education Capital  
10 Outlay and Debt Service Trust Fund authorized in s. 9, Art.  
11 XII of the State Constitution.

12 (b) In making recommendations for grant awards, the  
13 commissioner shall annually appoint a review panel to assist  
14 in reviewing grant applications. Members of the review panel  
15 shall be appointed to serve for terms of 1 year. The panel  
16 shall review grant applications and make recommendations to  
17 the commissioner concerning the relative merits of the  
18 applicants. The Department of Education shall, by rule,  
19 establish criteria for reviewing grant applications to ensure  
20 compliance with applicable federal and state laws relating to  
21 discrimination and conflicts of interest.

22 (c) The review panel shall provide a forum for public  
23 comment before it votes on any grant.

24 (2) Annually, the commissioner shall include in the  
25 legislative budget request of the Department of Education a  
26 recommendation for funding Offsite Learning Grants. The  
27 recommendation must include the panel's ranking of applicants  
28 and recommended funding levels for each.

29 (3)(a) Upon appropriation by the Legislature of  
30 funding for these grants, the Department of Education and each  
31 organization must execute a contract that contains information

1 relating to the program, the projected operating income and  
2 expenses, and other provisions that the department considers  
3 necessary to the administration of the program.

4 (b) Each recipient organization must submit to the  
5 Department of Education an annual report that states in detail  
6 the expenditure of the funds and is subject to the auditing  
7 provisions and rules of the department.

8 (c) Each organization shall cause an annual postaudit  
9 or independent attestation of its financial accounts, as  
10 specified in s. 216.349, to be conducted by an independent  
11 certified public accountant. The annual audit report must be  
12 submitted to the Department of Education for review. The  
13 department may require and receive from the recipient  
14 institution or from its independent auditor any detail or  
15 supplemental data relating to the operation of the  
16 institution.

17 (d) The Department of Education shall adopt rules  
18 necessary for the administration of this section.

19 Section 2. This act shall take effect upon becoming a  
20 law.

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23 SENATE SUMMARY

24 Provides for the Commissioner of Education to make annual  
25 recommendations to the Legislature relating to funding  
26 Florida Offsite Learning Grants. Provides the purposes of  
27 such grants. Prohibits the use of specified sources for  
28 funding such grants. Provides for the commissioner to  
29 appoint a review panel annually to assist in reviewing  
30 grant applications. Requires a public forum to be  
31 provided before grants are voted on. Requires the  
commissioner to include funding recommendations in the  
Department of Education's annual budget request. Requires  
a contract to be executed between the department and each  
grant recipient. Requires each grant recipient to submit  
an annual report to the department. Requires each  
recipient to have an annual postaudit of its financial  
accounts conducted and to submit a copy to the  
department. Provides for rulemaking by the department.