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A bill to be entitled  
 An act relating to relief from overcrowded schools;  
 creating s. 1013.215, F.S.; establishing the S.C.R.I.P.T.  
 grants program for school overcrowding relief; providing a  
 popular name; providing findings, intent, and purposes;  
 providing a definition; providing school district, parent,  
 and Department of Education obligations; providing private  
 school eligibility requirements; providing for the initial  
 award, renewal, and disbursement of S.C.R.I.P.T. grants;  
 limiting the liability of the state relating to the award  
 or use of a S.C.R.I.P.T. grant; providing an effective  
 date.

WHEREAS, the State of Florida is among national leaders in  
 providing state funding for K-12 public educational facilities,  
 and has provided an infusion of several billions of dollars of  
 state funds for K-12 public educational facilities since the  
 November 1997 Special Legislative Session on School  
 Overcrowding, and

WHEREAS, the people of the State of Florida have expressed  
 their disapproval of school overcrowding by amending the Florida  
 Constitution to place limits on class size, NOW, THEREFORE,

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

Section 1. Section 1013.215, Florida Statutes, is created  
 to read:

1013.215 S.C.R.I.P.T. grants program for school  
 overcrowding relief.--



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30       (1) POPULAR NAME.--This section shall be known by the  
31 popular name "The S.C.R.I.P.T. (School Crowding Relief  
32 Intervention for Parents and Teachers) Grants Act."

33       (2) FINDINGS, INTENT, AND PURPOSES.--

34       (a) The Legislature finds that school overcrowding results  
35 in the use of relocatable facilities, causes lunch to be  
36 provided at unacceptable times, leads to an increase in student  
37 misbehavior and a decrease in individualized instruction to  
38 students, and causes parents great concern.

39       (b) It is the intent of the Legislature that parents of  
40 students in overcrowded schools be given the option to enroll  
41 their children in a public school within the same district that  
42 is not overcrowded, or to receive a S.C.R.I.P.T. grant to allow  
43 their children to leave the public school system and attend an  
44 eligible private school of the parents' choice for as long as  
45 the parents desire, provided the requirements of subsection (9)  
46 are met.

47       (c) The purposes of this section are to provide immediate  
48 and targeted relief for public school overcrowding, improve  
49 classroom conditions for teachers and students, reduce the cost  
50 of public education for Florida's taxpayers, foster  
51 participation by parents in their children's education, create a  
52 beneficial public-private collaboration in K-12 education, and  
53 enhance the learning environment for all of Florida's K-12  
54 students.

55       (3) DEFINITION.--As used in this section, the term  
56 "overcrowded school" means an elementary school, middle/junior  
57 high school, high school, or combination school in which:

58       (a) The capital outlay FTE enrollment exceeds 120 percent  
59 of the school's permanent student stations; or



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60        (b) The school has solely relocatable or modular  
61 instructional space and the capital outlay FTE enrollment  
62 exceeds 120 percent of the school's permanent food service and  
63 multipurpose dining capacity.

64        (4) PARENTAL CHOICE.--Beginning with the 2003-2004 school  
65 year and thereafter, the parent of any K-12 student who is  
66 enrolled and in attendance during the October and February FTE  
67 enrollment counts in a Florida public school that meets the  
68 definition of an overcrowded school pursuant to subsection (3)  
69 may, for the following school year:

70        (a) Opt to have the student remain in the school in which  
71 the student is enrolled;

72        (b) Opt to have the student transferred to another public  
73 school within the district that does not meet the definition of  
74 an overcrowded school pursuant to subsection (3); or

75        (c) Opt to request, on an annual basis, a S.C.R.I.P.T.  
76 grant of \$3,000 to assist the parent in paying for the student's  
77 attendance at an eligible private school of the parent's choice.

78        (5) SCHOOL DISTRICT OBLIGATIONS.--

79        (a) Each school district shall annually by February 22,  
80 for each K-12 student eligible under subsection (4) in a school  
81 that meets the definition of an overcrowded school pursuant to  
82 subsection (3), notify the parent that the school is overcrowded  
83 and provide the parent with the parental choice options for the  
84 following school year as provided in subsection (4).

85        (b) Notification shall be published on the school district  
86 web site, in area newspapers, and by written notice sent home  
87 with the student, and must include a listing of the public  
88 schools, including charter schools, within the school district



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89 that do not meet the definition of an overcrowded school  
90 pursuant to subsection (3).

91 (6) PARENT OBLIGATIONS.--

92 (a) The parent shall notify the school district as to  
93 which of the options provided in subsection (4) the parent  
94 wishes to choose.

95 1. Failure of the parent to provide notification shall  
96 constitute the choice of the option provided by paragraph  
97 (4)(a).

98 2. If the parent chooses the option provided by paragraph  
99 (4)(b), the parent shall inform the school district by March 31  
100 which public school the parent has selected, and the parent  
101 shall agree to provide any necessary transportation for the  
102 student to the selected public school.

103 3. If the parent chooses the option provided by paragraph  
104 (4)(c), the parent must:

105 a. Obtain acceptance for admission of the student to a  
106 private school eligible under subsection (7) as soon as  
107 possible, and inform the private school that the student will be  
108 using a S.C.R.I.P.T. grant; or, if the parent is unable to  
109 obtain acceptance for admission or for any reason decides not to  
110 participate in the program, notify the school district as soon  
111 as possible, so that the option in paragraph (4)(c) can be made  
112 available to another parent.

113 b. Notify the Department of Education by July 1 of the  
114 parent's request for a S.C.R.I.P.T. grant and the name and  
115 address of the selected private school.

116 c. Agree to provide transportation for the student to the  
117 private school if necessary.



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118 d. Agree to pay any costs associated with the student's  
119 attendance at the private school that exceed the annual amount  
120 of the S.C.R.I.P.T. grant.

121 e. Agree that the education provided by the private school  
122 selected shall satisfy the student's full need for educational  
123 services from the student's school.

124 (b) After the first year of the student's attending a  
125 private school under the S.C.R.I.P.T. grants program, the parent  
126 must annually notify the Department of Education no later than  
127 July 1 if the parent intends to renew the grant according to the  
128 provisions of subsection (9) in order for the student to  
129 continue in the program, together with the name and address of  
130 the private school selected for the student for the following  
131 school year.

132 (7) PRIVATE SCHOOL ELIGIBILITY.--Eligibility of a private  
133 school shall be determined by the parental oversight and  
134 accountability requirements that, coupled with the exercise of  
135 parental choice, are reasonably necessary to secure the  
136 educational public purpose. To be eligible to participate in the  
137 S.C.R.I.P.T. grants program, a private school must be a Florida  
138 private school, may be sectarian or nonsectarian, and must:

139 (a) Demonstrate fiscal soundness by being in operation for  
140 1 school year or provide the Department of Education with a  
141 statement by a certified public accountant confirming that the  
142 private school desiring to participate is insured and the owner  
143 or owners have sufficient capital or credit to operate the  
144 school for the upcoming year serving the number of students  
145 anticipated with expected revenues from tuition and other  
146 sources that may be reasonably expected. In lieu of such a  
147 statement, a surety bond or letter of credit for the amount



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148 equal to the S.C.R.I.P.T. grants funds for any school year may  
149 be filed with the department.

150 (b) Notify the Department of Education and the school  
151 district in the service area in which the school is located of  
152 its intent to participate in the program under this section as  
153 early as possible, but no later than July 1 preceding the school  
154 year in which it intends to participate. The notice shall  
155 specify the grade levels and services that the private school  
156 has available for the S.C.R.I.P.T. grants program.

157 (c) Comply with the antidiscrimination provisions of 42  
158 U.S.C. s. 2000d.

159 (d) Meet state and local health and safety laws and codes.

160 (e) Comply with all state statutes applicable to the  
161 general regulation of private schools.

162 (f) If a S.C.R.I.P.T. grant student's parent so requests,  
163 coordinate with the local school district the locations and  
164 times for the student to take all statewide assessments pursuant  
165 to s. 1008.22.

166 (8) INITIAL S.C.R.I.P.T. GRANTS.--

167 (a) Initial S.C.R.I.P.T. grants shall be offered on a  
168 first-come, first-served basis to parents who are eligible to  
169 exercise the parental choice options provided in subsection (4).

170 (b) The number of initial S.C.R.I.P.T. grants to be  
171 awarded shall be determined annually by the Department of  
172 Education by February 7, based upon the capital outlay FTE  
173 enrollment as determined by the October count and the Florida  
174 Inventory of School Houses permanent student stations or  
175 permanent food service and multipurpose dining capacity, as  
176 appropriate, as of November 1, and capped at the number that



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177 would reduce the applicable percentage of capital outlay FTE  
178 enrollment specified in subsection (3) to 100 percent.

179 (9) S.C.R.I.P.T. GRANT RENEWAL.--For purposes of  
180 educational continuity and parental choice, a S.C.R.I.P.T.  
181 grant, once awarded, shall be renewable for as long as the  
182 parent is a Florida resident who opts for continuation of the  
183 grant for the student and the student lawfully attends an  
184 eligible private school, through grade 12. The S.C.R.I.P.T.  
185 grant may be transferred from one eligible private school to  
186 another upon the school's acceptance of the student and the  
187 parent's provision of adequate notice to the Department of  
188 Education. A parent may, however, at any time opt to return the  
189 student to public school.

190 (10) S.C.R.I.P.T. GRANT DISBURSEMENT.--Upon proper  
191 documentation reviewed and approved by the Department of  
192 Education, the Chief Financial Officer shall make S.C.R.I.P.T.  
193 grant payments in four equal amounts no later than September 1,  
194 November 1, February 1, and April 1 of each academic year. The  
195 initial payment shall be made after Department of Education  
196 verification of admission acceptance, and subsequent payments  
197 shall be made upon verification of the student's continued  
198 enrollment and attendance at the private school. Payment must be  
199 by individual warrant made payable to the student's parent and  
200 mailed by the Department of Education to the private school of  
201 the parent's choice, and the parent shall restrictively endorse  
202 the warrant to the private school.

203 (11) LIABILITY.--No liability shall arise on the part of  
204 the state based on the award or use of any S.C.R.I.P.T. grant.

205 (12) DEPARTMENT OF EDUCATION OBLIGATIONS.--



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206        (a) The Department of Education shall annually calculate  
207 and publicize the number of initial S.C.R.I.P.T. grants,  
208 determined pursuant to paragraph (8)(b), that will be made  
209 available for each school for that school year.

210        (b)1. Upon notification of the number of students whose  
211 parents have opted to request initial S.C.R.I.P.T. grants, the  
212 department shall transfer from general revenue funds  
213 appropriated to the school district the total amount of annual  
214 \$3,000 grants for the school district's students from the  
215 Florida Education Finance Program to a separate account for the  
216 disbursement of the initial S.C.R.I.P.T. grants.

217        2. The Department of Education shall, in its annual  
218 budget, provide for S.C.R.I.P.T. grants for parents who wish  
219 their children to continue participation in the S.C.R.I.P.T.  
220 grants program beyond the initial year of participation.

221        (c) The Department of Education shall administer the  
222 S.C.R.I.P.T. grants program and may adopt rules pursuant to ss.  
223 120.536(1) and 120.54 to implement the provisions of this  
224 section. However, the inclusion of eligible private schools  
225 within options available to Florida public school students does  
226 not expand the regulatory authority of the state, its officers,  
227 or any school district to impose any additional regulation of  
228 private schools beyond those reasonably necessary to enforce  
229 requirements expressly set forth in this section.

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