

By Senator Haridopolos

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See HB

1 A bill to be entitled

2 An act relating to educational choice programs;

3 creating s. 1002.395, F.S.; establishing the

4 K-12 GI Bill Program to provide educational

5 options for dependents of Florida's veterans

6 and active military personnel; providing that a

7 student may attend a public school in the

8 school district other than the one to which

9 assigned; providing that a student may receive

10 a K-12 GI Bill to attend a public school in an

11 adjacent school district or to attend a private

12 school; providing K-12 GI Bill eligibility

13 requirements; providing school district and

14 Department of Education obligations; providing

15 private school eligibility requirements;

16 providing obligations of families choosing the

17 private school option; providing for the

18 amount, funding, and payment of a K-12 GI Bill;

19 exempting the state from liability; authorizing

20 State Board of Education rules; amending s.

21 1002.20, F.S., relating to student and parent

22 rights to educational choice, to conform;

23 providing an effective date.

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

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27 Section 1. Section 1002.395, Florida Statutes, is

28 created to read:

29 1002.395 K-12 GI Bill Program.--

30 (1) PURPOSE.--The purpose of this section is to:

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1 (a) Recognize, honor, and reward the courage and
2 sacrifices made by Florida's veterans and active military
3 personnel and their families.

4 (b) Expand educational opportunities for children who
5 are dependents of veterans and active military personnel.

6 (c) Provide a new benefit to Florida's veterans and
7 active military personnel by giving them the option to choose
8 their children's education.

9 (2) THE K-12 GI BILL PROGRAM.--The K-12 GI Bill
10 Program is established as a benefit to Florida's veterans and
11 active military personnel which provides the option for their
12 dependents to attend a public school in the school district
13 other than the one to which assigned, to receive a K-12 GI
14 Bill to attend a public school in an adjacent school district,
15 or to receive a K-12 GI Bill to attend a private school of
16 their choice.

17 (3) K-12 GI BILL ELIGIBILITY.--The parent of a public
18 school student who is a dependent of a Florida veteran or
19 active military personnel may request and receive from the
20 state a K-12 GI Bill enabling the child to enroll in and
21 attend a private school in accordance with this section if:

22 (a) By assigned school attendance area or by special
23 assignment, the student has spent the prior school year in
24 attendance at a Florida public school. Prior school year in
25 attendance means that the student was enrolled and reported by
26 a school district for funding during the preceding October and
27 February Florida Education Finance Program surveys in
28 kindergarten through grade 12.

29 (b) The parent has notified the school district that
30 the student is a dependent of a Florida veteran or active
31 military personnel, has obtained acceptance for admission of

1 the student to a private school that is eligible for the
2 program under subsection (5), and has notified the school
3 district of the request for a K-12 GI Bill at least 60 days
4 prior to the date of the first K-12 GI Bill payment. The
5 parental notification must be through a communication directly
6 to the district or through the Department of Education to the
7 district in a manner that creates a written or electronic
8 record of the notification and the date of receipt of the
9 notification.

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11 This section does not apply to a student who is enrolled in a
12 school operating for the purpose of providing educational
13 services to youth in Department of Juvenile Justice commitment
14 programs. For purposes of continuity of educational choice,
15 the K-12 GI Bill shall remain in force until the student
16 returns to a public school or graduates from high school.
17 However, at any time, the student's parent may remove the
18 student from the private school and place the student in
19 another private school that is eligible to provide educational
20 opportunities for students whose families opt to use a K-12 GI
21 Bill under subsection (5) or in a public school as provided in
22 subsection (4).

23 (4) SCHOOL DISTRICT AND DEPARTMENT OF EDUCATION
24 OBLIGATIONS.--

25 (a) A school district shall timely notify the parent
26 of each student who the school district has knowledge is a
27 dependent of a Florida veteran or active military personnel of
28 all options available pursuant to this section and offer that
29 student's parent an opportunity to enroll the student in
30 another public school within the district. The parent is not
31 required to accept this offer in lieu of requesting a K-12 GI

1 Bill enabling the student to attend a public school in an
2 adjacent school district or to attend a private school.
3 However, if the parent chooses to enroll the student in
4 another public school within the district, the student may
5 continue attending the public school chosen by the parent
6 until the student graduates from high school. If the parent
7 chooses a public school consistent with the district school
8 board's choice plan under s. 1002.31, the school district
9 shall provide transportation to the public school selected by
10 the parent. The parent is responsible to provide
11 transportation to a public school chosen that is not
12 consistent with the district school board's choice plan under
13 s. 1002.31.

14 (b) If the parent chooses the private school option
15 and the student is accepted by the private school pending the
16 availability of a space for the student, the parent of the
17 student must notify the school district at least 60 days prior
18 to the date of the first K-12 GI Bill payment and before the
19 student enters the private school in order to be eligible for
20 the K-12 GI Bill when a space becomes available for the
21 student in the private school.

22 (c) The parent of a student may choose, as an
23 alternative, to enroll the student in and transport the
24 student to a public school in an adjacent school district that
25 has available space, and that school district shall accept the
26 student and report the student for purposes of the district's
27 funding pursuant to the Florida Education Finance Program.

28 (d) For a student in the school district who
29 participates in the K-12 GI Bill Program whose parent requests
30 that the student take the statewide assessments under s.
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1 1008.22, the district shall provide locations and times to
2 take all statewide assessments.

3 (e) A school district must notify the Department of
4 Education within 10 days after it receives notification of a
5 parent's intent to apply for a student to receive a K-12 GI
6 Bill.

7 (5) PRIVATE SCHOOL ELIGIBILITY.--To be eligible to
8 provide educational opportunities for students whose families
9 opt to use a K-12 GI Bill, a private school must be a Florida
10 private school, may be sectarian or nonsectarian, and must:

11 (a) Demonstrate fiscal soundness by being in operation
12 for 2 school years or file with the Department of Education a
13 surety bond or letter of credit for the amount equal to the
14 K-12 GI Bill funds for each quarter.

15 (b) Notify the Department of Education of its intent
16 to provide educational opportunities for students whose
17 families opt to use a K-12 GI Bill. The notice must specify
18 the grade levels and services that the private school has
19 available for students attending on a K-12 GI Bill.

20 (c) Comply with the antidiscrimination provisions of
21 42 U.S.C. s. 2000d.

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

24 (e) Be academically accountable to the parent for
25 meeting the educational needs of the student.

26 (f) Employ or contract with teachers who hold
27 baccalaureate or higher degrees, have at least 3 years of
28 teaching experience in public or private schools, or have
29 special skills, knowledge, or expertise that qualifies them to
30 provide instruction in subjects taught.

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1 (g) Comply with all state laws relating to general
2 regulation of private schools.

3 (h) Adhere to the tenets of its published disciplinary
4 procedures prior to the expulsion of a student attending the
5 school on a K-12 GI Bill.

6 (6) OBLIGATION OF FAMILIES OPTING TO USE A K-12 GI
7 BILL.--

8 (a) A parent who applies for a K-12 GI Bill to enable
9 his or her child to attend a private school is exercising his
10 or her parental option to place his or her child in a private
11 school. The parent must select the private school and apply
12 for the admission of his or her child.

13 (b) The parent must have requested the K-12 GI Bill at
14 least 60 days prior to the date of the first K-12 GI Bill
15 payment.

16 (c) Any student attending a private school on a K-12
17 GI Bill must remain in attendance throughout the school year,
18 unless excused by the school for illness or other good cause,
19 and must comply fully with the school's code of conduct.

20 (d) The parent of each student attending a private
21 school on a K-12 GI Bill must comply fully with the private
22 school's parental involvement requirements unless excused by
23 the school for illness or other good cause.

24 (e) If the parent requests that the student attending
25 a private school on a K-12 GI Bill take all statewide
26 assessments required pursuant to s. 1008.22, the parent is
27 responsible for transporting the student to the assessment
28 site designated by the school district.

29 (f) Upon receipt of a K-12 GI Bill warrant, the parent
30 to whom the warrant is made must restrictively endorse the
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1 warrant to the private school for deposit into the account of
2 the private school.

3 (g) Any failure to comply with this subsection results
4 in forfeit of the K-12 GI Bill.

5 (7) K-12 GI BILL FUNDING AND PAYMENT.--

6 (a) The amount of a K-12 GI Bill provided to any child
7 for any single school year shall not exceed the following
8 annual limits:

9 1. Three thousand six hundred dollars or the amount of
10 tuition and fees, whichever is less, for a K-12 GI Bill
11 awarded to a student enrolled in an eligible private school.

12 2. Five hundred dollars, or the amount of
13 transportation expenses, whichever is less, for a K-12 GI Bill
14 awarded to a student enrolled in a Florida public school that
15 is located outside the school district in which the student
16 resides.

17 (b) If a participating private school requires partial
18 payment of tuition prior to the start of the academic year to
19 reserve space for students admitted to the school, that
20 partial payment may be paid by the Department of Education
21 prior to the first quarterly payment of the year in which the
22 K-12 GI Bill is awarded, up to a maximum of \$1,000, and
23 deducted from subsequent K-12 GI Bill payments. If a student
24 decides not to attend the participating private school, the
25 partial reservation payment must be returned to the Department
26 of Education by the participating private school. There is a
27 limit of one reservation payment per student per year.

28 (c) The school district shall report all students who
29 are attending a private school on a K-12 GI Bill. The students
30 attending private schools on K-12 GI Bills shall be reported
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1 separately from other students reported for purposes of the
2 Florida Education Finance Program.

3 (d) Following notification on July 1, September 1,
4 December 1, or February 1 of the number of students attending
5 private schools on K-12 GI Bills, the Department of Education
6 shall transfer, from General Revenue funds only, the amount of
7 the K-12 GI Bills from the school district's total funding
8 entitlement under the Florida Education Finance Program to a
9 separate account for the K-12 GI Bills for quarterly
10 disbursement to the parents of K-12 GI Bill students. When a
11 student enters a private school on a K-12 GI Bill, the
12 Department of Education must receive all documentation
13 required for the student's K-12 GI Bill, including the private
14 school's and student's fee schedules, at least 30 days before
15 the first quarterly K-12 GI Bill payment is made for the
16 student. The Department of Education may not make any
17 retroactive payments.

18 (e) Upon proper documentation reviewed and approved by
19 the Department of Education, the Chief Financial Officer shall
20 make K-12 GI Bill payments in four equal amounts no later than
21 September 1, November 1, February 1, and April 15 of each
22 academic year in which the K-12 GI Bill is in force. The
23 initial payment for attendance at a private school shall be
24 made after Department of Education verification of admission
25 acceptance, and subsequent payments shall be made upon
26 verification of continued enrollment and attendance at the
27 private school. Payment must be by individual warrant made
28 payable to the student's parent and mailed by the Department
29 of Education to the private school of the parent's choice, and
30 the parent shall restrictively endorse the warrant to the

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1 private school for deposit into the account of the private
2 school.

3 (8) LIABILITY.--No liability shall arise on the part
4 of the state based on the award or use of a K-12 GI Bill.

5 (9) RULES.--The State Board of Education may adopt
6 rules pursuant to ss. 120.536(1) and 120.54 to administer this
7 section. However, the inclusion of eligible private schools
8 within options available to Florida public school students
9 does not expand the regulatory authority of the state, its
10 officers, or any school district to impose any additional
11 regulation of private schools beyond those reasonably
12 necessary to enforce requirements expressly set forth in this
13 section.

14 Section 2. Paragraphs (a) and (b) of subsection (6) of
15 section 1002.20, Florida Statutes, are amended to read:

16 1002.20 K-12 student and parent rights.--Parents of
17 public school students must receive accurate and timely
18 information regarding their child's academic progress and must
19 be informed of ways they can help their child to succeed in
20 school. K-12 students and their parents are afforded numerous
21 statutory rights including, but not limited to, the following:

22 (6) EDUCATIONAL CHOICE.--

23 (a) Public school choices.--Parents of public school
24 students may seek whatever public school choice options that
25 are applicable to their students and are available to students
26 in their school districts. These options may include
27 controlled open enrollment, lab schools, charter schools,
28 charter technical career centers, magnet schools, alternative
29 schools, special programs, advanced placement, dual
30 enrollment, International Baccalaureate, early admissions,
31 credit by examination or demonstration of competency, the New

1 World School of the Arts, the Florida School for the Deaf and
2 the Blind, and the Florida Virtual School. These options may
3 also include the public school choice options of the
4 Opportunity Scholarship Program, ~~and~~ the McKay Scholarships
5 for Students with Disabilities Program, and the K-12 GI Bill
6 Program.

7 (b) Private school choices.--Parents of public school
8 students may seek private school choice options under certain
9 programs.

10 1. Under the Opportunity Scholarship Program, the
11 parent of a student in a failing public school may request and
12 receive an opportunity scholarship for the student to attend a
13 private school in accordance with the provisions of s.
14 1002.38.

15 2. Under the McKay Scholarships for Students with
16 Disabilities Program, the parent of a public school student
17 with a disability who is dissatisfied with the student's
18 progress may request and receive a McKay Scholarship for the
19 student to attend a private school in accordance with the
20 provisions of s. 1002.39.

21 3. Under the K-12 GI Bill Program, the parent of a
22 public school student who is a dependent of a Florida veteran
23 or active military personnel may request and receive a K-12 GI
24 Bill for the student to attend a private school in accordance
25 with the provisions of s. 1002.395.

26 ~~4.3.~~ Under the corporate income tax credit scholarship
27 program, the parent of a student who qualifies for free or
28 reduced-price school lunch may seek a scholarship from an
29 eligible nonprofit scholarship-funding organization in
30 accordance with the provisions of s. 220.187.

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1 Section 3. This act shall take effect upon becoming a
2 law.
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