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A bill to be entitled

An act relating to educational choice programs; creating s. 1002.395, F.S.; establishing the K-12 GI Bill Program to provide educational options for dependents of Florida's veterans and active military personnel; providing that a student may attend a public school in the school district other than the one to which assigned; providing that a student may receive a K-12 GI Bill to attend a public school in an adjacent school district or to attend a private school; providing K-12 GI Bill eligibility requirements; providing school district and Department of Education obligations; providing private school eligibility requirements; providing obligations of families choosing the private school option; providing for the amount, funding, and payment of a K-12 GI Bill; exempting the state from liability; authorizing State Board of Education rules; amending s. 1002.20, F.S., relating to student and parent rights to educational choice, to conform; providing an effective date.

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

Section 1. Section 1002.395, Florida Statutes, is created to read:

1002.395 K-12 GI Bill Program.--

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

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

(b) Expand educational opportunities for children who are

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31 dependents of veterans and active military personnel.

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

35 (2) THE K-12 GI BILL PROGRAM.--The K-12 GI Bill Program is
36 established as a benefit to Florida's veterans and active
37 military personnel that provides the option for their dependents
38 to attend a public school in the school district other than the
39 one to which assigned, to receive a K-12 GI Bill to attend a
40 public school in an adjacent school district, or to receive a K-
41 12 GI Bill to attend a private school of their choice.

42 (3) K-12 GI BILL ELIGIBILITY.--The parent of a public
43 school student who is a dependent of a Florida veteran or active
44 military personnel may request and receive from the state a K-12
45 GI Bill for the child to enroll in and attend a private school
46 in accordance with this section if:

47 (a) By assigned school attendance area or by special
48 assignment, the student has spent the prior school year in
49 attendance at a Florida public school. Prior school year in
50 attendance means that the student was enrolled and reported by a
51 school district for funding during the preceding October and
52 February Florida Education Finance Program surveys in
53 kindergarten through grade 12.

54 (b) The parent has notified the school district that the
55 student is a dependent of a Florida veteran or active military
56 personnel, has obtained acceptance for admission of the student
57 to a private school that is eligible for the program under
58 subsection (5), and has notified the school district of the
59 request for a K-12 GI Bill at least 60 days prior to the date of
60 the first K-12 GI Bill payment. The parental notification must

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61 be through a communication directly to the district or through
62 the Department of Education to the district in a manner that
63 creates a written or electronic record of the notification and
64 the date of receipt of the notification.

65 This section does not apply to a student who is enrolled in a
66 school operating for the purpose of providing educational
67 services to youth in Department of Juvenile Justice commitment
68 programs. For purposes of continuity of educational choice, the
69 K-12 GI Bill shall remain in force until the student returns to
70 a public school or graduates from high school. However, at any
71 time, the student's parent may remove the student from the
72 private school and place the student in another private school
73 that is eligible to provide educational opportunities for
74 students whose families opt to use a K-12 GI Bill under
75 subsection (5) or in a public school as provided in subsection
76 (4).

77 (4) SCHOOL DISTRICT AND DEPARTMENT OF EDUCATION
78 OBLIGATIONS.--

79 (a) A school district shall timely notify the parent of
80 each student who the school district has knowledge is a
81 dependent of a Florida veteran or active military personnel of
82 all options available pursuant to this section and offer that
83 student's parent an opportunity to enroll the student in another
84 public school within the district. The parent is not required to
85 accept this offer in lieu of requesting a K-12 GI Bill for the
86 student to attend a public school in an adjacent school district
87 or to attend a private school. However, if the parent chooses to
88 enroll the student in another public school within the district,
89 the student may continue attending the public school chosen by

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90 the parent until the student graduates from high school. If the
91 parent chooses a public school consistent with the district
92 school board's choice plan under s. 1002.31, the school district
93 shall provide transportation to the public school selected by
94 the parent. The parent is responsible to provide transportation
95 to a public school chosen that is not consistent with the
96 district school board's choice plan under s. 1002.31.

97 (b) If the parent chooses the private school option and
98 the student is accepted by the private school pending the
99 availability of a space for the student, the parent of the
100 student must notify the school district at least 60 days prior
101 to the date of the first K-12 GI Bill payment and before the
102 student enters the private school in order to be eligible for
103 the K-12 GI Bill when a space becomes available for the student
104 in the private school.

105 (c) The parent of a student may choose, as an alternative,
106 to enroll the student in and transport the student to a public
107 school in an adjacent school district that has available space,
108 and that school district shall accept the student and report the
109 student for purposes of the district's funding pursuant to the
110 Florida Education Finance Program.

111 (d) For a student in the school district who participates
112 in the K-12 GI Bill Program whose parent requests that the
113 student take the statewide assessments under s. 1008.22, the
114 district shall provide locations and times to take all statewide
115 assessments.

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

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

124 (a) Demonstrate fiscal soundness by being in operation for
 125 2 school years or file with the Department of Education a surety
 126 bond or letter of credit for the amount equal to the K-12 GI
 127 Bill funds for each quarter.

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

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

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

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

138 (f) Employ or contract with teachers who hold
 139 baccalaureate or higher degrees, have at least 3 years of
 140 teaching experience in public or private schools, or have
 141 special skills, knowledge, or expertise that qualifies them to
 142 provide instruction in subjects taught.

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

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

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

149 (a) A parent who applies for a K-12 GI Bill to enable his

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150 or her child to attend a private school is exercising his or her
 151 parental option to place his or her child in a private school.
 152 The parent must select the private school and apply for the
 153 admission of his or her child.

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

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

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

165 (e) If the parent requests that the student attending a
 166 private school on a K-12 GI Bill take all statewide assessments
 167 required pursuant to s. 1008.22, the parent is responsible for
 168 transporting the student to the assessment site designated by
 169 the school district.

170 (f) Upon receipt of a K-12 GI Bill warrant, the parent to
 171 whom the warrant is made must restrictively endorse the warrant
 172 to the private school for deposit into the account of the
 173 private school.

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

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

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

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

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

187 (b) If a participating private school requires partial
 188 payment of tuition prior to the start of the academic year to
 189 reserve space for students admitted to the school, that partial
 190 payment may be paid by the Department of Education prior to the
 191 first quarterly payment of the year in which the K-12 GI Bill is
 192 awarded, up to a maximum of \$1,000, and deducted from subsequent
 193 K-12 GI Bill payments. If a student decides not to attend the
 194 participating private school, the partial reservation payment
 195 must be returned to the Department of Education by the
 196 participating private school. There is a limit of one
 197 reservation payment per student per year.

198 (c) The school district shall report all students who are
 199 attending a private school on a K-12 GI Bill. The students
 200 attending private schools on K-12 GI Bills shall be reported
 201 separately from other students reported for purposes of the
 202 Florida Education Finance Program.

203 (d) Following notification on July 1, September 1,
 204 December 1, or February 1 of the number of students attending
 205 private schools on K-12 GI Bills, the Department of Education
 206 shall transfer, from General Revenue funds only, the amount of
 207 the K-12 GI Bills from the school district's total funding
 208 entitlement under the Florida Education Finance Program to a
 209 separate account for the K-12 GI Bills for quarterly

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210 disbursement to the parents of K-12 GI Bill students. When a
 211 student enters a private school on a K-12 GI Bill, the
 212 Department of Education must receive all documentation required
 213 for the student's K-12 GI Bill, including the private school's
 214 and student's fee schedules, at least 30 days before the first
 215 quarterly K-12 GI Bill payment is made for the student. The
 216 Department of Education may not make any retroactive payments.

217 (e) Upon proper documentation reviewed and approved by the
 218 Department of Education, the Chief Financial Officer shall make
 219 K-12 GI Bill payments in four equal amounts no later than
 220 September 1, November 1, February 1, and April 15 of each
 221 academic year in which the K-12 GI Bill is in force. The initial
 222 payment for attendance at a private school shall be made after
 223 Department of Education verification of admission acceptance,
 224 and subsequent payments shall be made upon verification of
 225 continued enrollment and attendance at the private school.
 226 Payment must be by individual warrant made payable to the
 227 student's parent and mailed by the Department of Education to
 228 the private school of the parent's choice, and the parent shall
 229 restrictively endorse the warrant to the private school for
 230 deposit into the account of the private school.

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

233 (9) RULES.--The State Board of Education may adopt rules
 234 pursuant to ss. 120.536(1) and 120.54 to administer this
 235 section. However, the inclusion of eligible private schools
 236 within options available to Florida public school students does
 237 not expand the regulatory authority of the state, its officers,
 238 or any school district to impose any additional regulation of
 239 private schools beyond those reasonably necessary to enforce

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240 requirements expressly set forth in this section.

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

243 1002.20 K-12 student and parent rights.--Parents of public
 244 school students must receive accurate and timely information
 245 regarding their child's academic progress and must be informed
 246 of ways they can help their child to succeed in school. K-12
 247 students and their parents are afforded numerous statutory
 248 rights including, but not limited to, the following:

249 (6) EDUCATIONAL CHOICE.--

250 (a) *Public school choices.*--Parents of public school
 251 students may seek whatever public school choice options that are
 252 applicable to their students and are available to students in
 253 their school districts. These options may include controlled
 254 open enrollment, lab schools, charter schools, charter technical
 255 career centers, magnet schools, alternative schools, special
 256 programs, advanced placement, dual enrollment, International
 257 Baccalaureate, early admissions, credit by examination or
 258 demonstration of competency, the New World School of the Arts,
 259 the Florida School for the Deaf and the Blind, and the Florida
 260 Virtual School. These options may also include the public school
 261 choice options of the Opportunity Scholarship Program, ~~and~~ the
 262 McKay Scholarships for Students with Disabilities Program, and
 263 the K-12 GI Bill Program.

264 (b) *Private school choices.*--Parents of public school
 265 students may seek private school choice options under certain
 266 programs.

267 1. Under the Opportunity Scholarship Program, the parent
 268 of a student in a failing public school may request and receive

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269 an opportunity scholarship for the student to attend a private
 270 school in accordance with the provisions of s. 1002.38.

271 2. Under the McKay Scholarships for Students with
 272 Disabilities Program, the parent of a public school student with
 273 a disability who is dissatisfied with the student's progress may
 274 request and receive a McKay Scholarship for the student to
 275 attend a private school in accordance with the provisions of s.
 276 1002.39.

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

282 ~~4.3.~~ Under the corporate income tax credit scholarship
 283 program, the parent of a student who qualifies for free or
 284 reduced-price school lunch may seek a scholarship from an
 285 eligible nonprofit scholarship-funding organization in
 286 accordance with the provisions of s. 220.187.

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