

1 A bill to be entitled
 2 An act relating to educational choice programs; creating
 3 s. 1002.395, F.S.; establishing the K-12 GI Bill Program
 4 to provide educational options for dependents of a Florida
 5 veteran, an active duty member of any branch of the United
 6 States Armed Forces, an active or retired member of the
 7 Florida National Guard, or an active member of the Armed
 8 Forces Reserves; providing that a student may attend a
 9 public school in the school district other than the one to
 10 which assigned; providing that a student may receive a K-
 11 12 GI Bill to attend a public school in an adjacent school
 12 district or to attend a private school; providing K-12 GI
 13 Bill eligibility requirements; providing school district
 14 obligations; providing private school eligibility
 15 requirements; providing obligations of families choosing
 16 the private school option; providing for the amount,
 17 funding, and payment of a K-12 GI Bill; exempting the
 18 state from liability; authorizing State Board of Education
 19 rules; amending s. 1002.20, F.S., relating to student and
 20 parent rights to educational choice, to conform; providing
 21 an effective date.

22
 23 Be It Enacted by the Legislature of the State of Florida:

24
 25 Section 1. Section 1002.395, Florida Statutes, is created
 26 to read:

27 1002.395 K-12 GI Bill Program.--
 28 (1) PURPOSE.--The purpose of this section is to:

29 (a) Recognize, honor, and reward the courage and
 30 sacrifices made by a Florida veteran, an active duty member of
 31 any branch of the United States Armed Forces, an active or
 32 retired member of the Florida National Guard, or an active
 33 member of the Armed Forces Reserves, and his or her family.

34 (b) Expand educational opportunities for children who are
 35 dependents of a Florida veteran, an active duty member of any
 36 branch of the United States Armed Forces, an active or retired
 37 member of the Florida National Guard, or an active member of the
 38 Armed Forces Reserves.

39 (c) Provide a new benefit to a Florida veteran, an active
 40 duty member of any branch of the United States Armed Forces, an
 41 active or retired member of the Florida National Guard, or an
 42 active member of the Armed Forces Reserves by giving such
 43 individual the option to choose his or her children's education.

44 (2) THE K-12 GI BILL PROGRAM.--The K-12 GI Bill Program is
 45 established as a benefit to a Florida veteran as defined in s.
 46 1.01, an active duty member of any branch of the United States
 47 Armed Forces, an active or retired member of the Florida
 48 National Guard, or an active member of the Armed Forces Reserves
 49 that provides the option for his or her dependents to attend a
 50 public school in the school district other than the one to which
 51 assigned, to receive a K-12 GI Bill to attend a public school in
 52 an adjacent school district, or to receive a K-12 GI Bill to
 53 attend an eligible private school of his or her choice.

54 (3) K-12 GI BILL ELIGIBILITY.--The parent of a student who
 55 is a dependent of a Florida veteran as defined in s. 1.01, an
 56 active duty member of any branch of the United States Armed

57 Forces, an active or retired member of the Florida National
58 Guard, or an active member of the Armed Forces Reserves may
59 request and receive from the state a K-12 GI Bill for the child
60 to enroll in and attend an eligible private school if the parent
61 has notified the school district that the student is a dependent
62 of a Florida veteran as defined in s. 1.01, an active duty
63 member of any branch of the United States Armed Forces, an
64 active or retired member of the Florida National Guard, or an
65 active member of the Armed Forces Reserves; has obtained
66 acceptance for admission of the student to a private school that
67 is eligible for the program under subsection (5); and has
68 notified the school district of the request for a K-12 GI Bill
69 at least 60 days prior to the date of the first K-12 GI Bill
70 payment. The parental notification must be through a
71 communication directly to the district or through the Department
72 of Education to the district in a manner that creates a written
73 or electronic record of the notification and the date of receipt
74 of the notification. This section does not apply to a student
75 who is enrolled in a school operating for the purpose of
76 providing educational services to youth in Department of
77 Juvenile Justice commitment programs. For purposes of continuity
78 of educational choice, the K-12 GI Bill shall remain in force
79 until the student returns to a public school or graduates from
80 high school. However, at any time, the student's parent may
81 remove the student from the private school and place the student
82 in another private school that is eligible to provide
83 educational opportunities for students whose families opt to use

84 | a K-12 GI Bill under subsection (5) or in a public school as
85 | provided in subsection (4).

86 | (4) SCHOOL DISTRICT OBLIGATIONS.--

87 | (a) A school district shall timely notify the parent of
88 | each student who the school district has knowledge is a
89 | dependent of a Florida veteran as defined in s. 1.01, an active
90 | duty member of any branch of the United States Armed Forces, an
91 | active or retired member of the Florida National Guard, or an
92 | active member of the Armed Forces Reserves of all options
93 | available pursuant to this section and offer that student's
94 | parent an opportunity to enroll the student in another public
95 | school within the district. The parent is not required to accept
96 | this offer in lieu of requesting a K-12 GI Bill for the student
97 | to attend a public school in an adjacent school district or to
98 | attend a private school. However, if the parent chooses to
99 | enroll the student in another public school within the district,
100 | the student may continue attending the public school chosen by
101 | the parent until the student graduates from high school. The
102 | option under this paragraph shall be on a space-available basis.
103 | However, a student who is the dependent of a parent on active
104 | duty shall be given first priority, provided that this option
105 | shall not be available if it results in a violation of the
106 | constitutional class size requirements. If the parent chooses a
107 | public school consistent with the district school board's choice
108 | plan under s. 1002.31, the school district shall provide
109 | transportation to the public school selected by the parent. The
110 | parent is responsible to provide transportation to a public

111 school chosen that is not consistent with the district school
112 board's choice plan under s. 1002.31.

113 (b) The parent of a student may choose, as an alternative,
114 to enroll the student in and transport the student to a public
115 school in an adjacent school district that has available space,
116 and that school district shall accept the student and report the
117 student for purposes of the district's funding pursuant to the
118 Florida Education Finance Program.

119 (c) For a student in the school district who participates
120 in the K-12 GI Bill Program whose parent requests that the
121 student take the statewide assessments under s. 1008.22, the
122 district shall provide locations and times to take all statewide
123 assessments.

124 (d) A school district must notify the Department of
125 Education within 10 days after it receives notification of a
126 parent's intent to apply for a student to receive a K-12 GI
127 Bill.

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

132 (a) Demonstrate fiscal soundness by being in operation for
133 2 school years or file with the Department of Education a surety
134 bond or letter of credit for the amount equal to the K-12 GI
135 Bill funds for each quarter.

136 (b) Notify the Department of Education of its intent to
137 provide educational opportunities for students whose families
138 opt to use a K-12 GI Bill. The notice must specify the grade

139 | levels and services that the private school has available for
 140 | students attending on a K-12 GI Bill.

141 | (c) Comply with the antidiscrimination provisions of 42
 142 | U.S.C. s. 2000d.

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

144 | (e) Be academically accountable to the parent for meeting
 145 | the educational needs of the student.

146 | (f) Employ or contract with teachers who hold
 147 | baccalaureate or higher degrees, have at least 3 years of
 148 | teaching experience in public or private schools, or have
 149 | special skills, knowledge, or expertise that qualifies them to
 150 | provide instruction in subjects taught.

151 | (g) Comply with all state laws relating to general
 152 | regulation of private schools.

153 | (h) Adhere to the tenets of its published disciplinary
 154 | procedures prior to the expulsion of a student attending the
 155 | school on a K-12 GI Bill.

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

157 | (a) A parent who applies for a K-12 GI Bill to enable his
 158 | or her child to attend a private school is exercising his or her
 159 | parental option to place his or her child in a private school.
 160 | The parent must select the private school and apply for the
 161 | admission of his or her child.

162 | (b) If the parent chooses the private school option and
 163 | the student is accepted by the private school pending the
 164 | availability of a space for the student, the parent of the
 165 | student must notify the school district at least 60 days prior
 166 | to the date of the first K-12 GI Bill payment and before the

167 | student enters the private school in order to be eligible for
 168 | the K-12 GI Bill when a space becomes available for the student
 169 | in the private school.

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

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

178 | (e) If the parent requests that the student attending a
 179 | private school on a K-12 GI Bill take all statewide assessments
 180 | required pursuant to s. 1008.22, the parent is responsible for
 181 | transporting the student to the assessment site designated by
 182 | the school district.

183 | (f) Upon receipt of a K-12 GI Bill warrant, the parent to
 184 | whom the warrant is made must restrictively endorse the warrant
 185 | to the private school for deposit into the account of the
 186 | private school.

187 | (g) Any failure to comply with this subsection results in
 188 | forfeiture of the K-12 GI Bill.

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

190 | (a) The amount of a K-12 GI Bill provided to any child for
 191 | any single school year shall not exceed the following annual
 192 | limits:

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

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

200 (b) If a participating private school requires partial
201 payment of tuition prior to the start of the academic year to
202 reserve space for students admitted to the school, that partial
203 payment may be paid by the Department of Education prior to the
204 first quarterly payment of the year in which the K-12 GI Bill is
205 awarded, up to a maximum of \$1,000, and deducted from subsequent
206 K-12 GI Bill payments. If a student decides not to attend the
207 participating private school, the partial reservation payment
208 must be returned to the Department of Education by the
209 participating private school. There is a limit of one
210 reservation payment per student per year.

211 (c) The school district shall report all students who are
212 attending a private school on a K-12 GI Bill. The students
213 attending private schools on K-12 GI Bills shall be reported
214 separately from other students reported for purposes of the
215 Florida Education Finance Program.

216 (d) Following notification on July 1, September 1,
217 December 1, or February 1 of the number of students attending
218 private schools on K-12 GI Bills, the Department of Education
219 shall transfer, from General Revenue funds only, the amount of
220 the K-12 GI Bills from the school district's total funding

221 entitlement under the Florida Education Finance Program to a
222 separate account for the K-12 GI Bills for quarterly
223 disbursement to the parents of K-12 GI Bill students. When a
224 student enters a private school on a K-12 GI Bill, the
225 Department of Education must receive all documentation required
226 for the student's K-12 GI Bill, including the private school's
227 and student's fee schedules, at least 30 days before the first
228 quarterly K-12 GI Bill payment is made for the student. The
229 Department of Education may not make any retroactive payments.

230 (e) Upon proper documentation reviewed and approved by the
231 Department of Education, the Chief Financial Officer shall make
232 K-12 GI Bill payments in four equal amounts no later than
233 September 1, November 1, February 1, and April 15 of each
234 academic year in which the K-12 GI Bill is in force. The initial
235 payment for attendance at a private school shall be made after
236 Department of Education verification of admission acceptance,
237 and subsequent payments shall be made upon verification of
238 continued enrollment and attendance at the private school.
239 Payment must be by individual warrant made payable to the
240 student's parent and mailed by the Department of Education to
241 the private school of the parent's choice, and the parent shall
242 restrictively endorse the warrant to the private school for
243 deposit into the account of the private school.

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

246 (9) RULES.--The State Board of Education may adopt rules
247 pursuant to ss. 120.536(1) and 120.54 to administer this
248 section. However, the inclusion of eligible private schools

249 within options available to Florida public school students does
 250 not expand the regulatory authority of the state, its officers,
 251 or any school district to impose any additional regulation of
 252 private schools beyond those reasonably necessary to enforce
 253 requirements expressly set forth in this section.

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

256 1002.20 K-12 student and parent rights.--Parents of public
 257 school students must receive accurate and timely information
 258 regarding their child's academic progress and must be informed
 259 of ways they can help their child to succeed in school. K-12
 260 students and their parents are afforded numerous statutory
 261 rights including, but not limited to, the following:

262 (6) EDUCATIONAL CHOICE.--

263 (a) *Public school choices*.--Parents of public school
 264 students may seek whatever public school choice options that are
 265 applicable to their students and are available to students in
 266 their school districts. These options may include controlled
 267 open enrollment, lab schools, charter schools, charter technical
 268 career centers, magnet schools, alternative schools, special
 269 programs, advanced placement, dual enrollment, International
 270 Baccalaureate, early admissions, credit by examination or
 271 demonstration of competency, the New World School of the Arts,
 272 the Florida School for the Deaf and the Blind, and the Florida
 273 Virtual School. These options may also include the public school
 274 choice options of the Opportunity Scholarship Program, ~~and~~ the
 275 McKay Scholarships for Students with Disabilities Program, and
 276 the K-12 GI Bill Program.

277 (b) *Private school choices.*--Parents of public school
 278 students may seek private school choice options under certain
 279 programs.

280 1. Under the Opportunity Scholarship Program, the parent
 281 of a student in a failing public school may request and receive
 282 an opportunity scholarship for the student to attend a private
 283 school in accordance with the provisions of s. 1002.38.

284 2. Under the McKay Scholarships for Students with
 285 Disabilities Program, the parent of a public school student with
 286 a disability who is dissatisfied with the student's progress may
 287 request and receive a McKay Scholarship for the student to
 288 attend a private school in accordance with the provisions of s.
 289 1002.39.

290 3. Under the K-12 GI Bill Program, the parent of a public
 291 school student who is a dependent of a Florida veteran, an
 292 active duty member of any branch of the United States Armed
 293 Forces, an active or retired member of the Florida National
 294 Guard, or an active member of the Armed Forces Reserves may
 295 request and receive a K-12 GI Bill for the student to attend a
 296 private school in accordance with the provisions of s. 1002.395.

297 ~~4.3.~~ Under the corporate income tax credit scholarship
 298 program, the parent of a student who qualifies for free or
 299 reduced-price school lunch may seek a scholarship from an
 300 eligible nonprofit scholarship-funding organization in
 301 accordance with the provisions of s. 220.187.

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