

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

1 Representative(s) Sobel offered the following:

2
3 **Amendment (with title amendment)**

4 Remove line(s) 886-1069 and insert:

5 Department of Education pursuant to paragraph (9)(k). In
6 addition, an eligible nonprofit scholarship-funding organization
7 must submit in a timely manner any information requested by the
8 Department of Education relating to the scholarship program.

9
10 Any and all information and documentation provided to the
11 Department of Education and the Auditor General relating to the
12 identity of a taxpayer that provides an eligible contribution
13 under this section shall remain confidential at all times in
14 accordance with s. 213.053.

15 ~~(g) Payment of the scholarship by the eligible nonprofit~~
16 ~~scholarship funding organization shall be by individual warrant~~
17 ~~or check made payable to the student's parent. If the parent~~

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18 ~~chooses for his or her child to attend an eligible nonpublic~~
19 ~~school, the warrant or check must be mailed by the eligible~~
20 ~~nonprofit scholarship funding organization to the nonpublic~~
21 ~~school of the parent's choice, and the parent shall~~
22 ~~restrictively endorse the warrant or check to the nonpublic~~
23 ~~school. An eligible nonprofit scholarship funding organization~~
24 ~~shall ensure that, upon receipt of a scholarship warrant or~~
25 ~~check, the parent to whom the warrant or check is made~~
26 ~~restrictively endorses the warrant or check to the nonpublic~~
27 ~~school of the parent's choice for deposit into the account of~~
28 ~~the nonpublic school.~~

29 (7)-(5) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
30 PARTICIPATION OBLIGATIONS.--

31 (a) The parent must select an eligible private school and
32 apply for the admission of his or her child.

33 (b) The parent must inform the child's school district
34 when the parent withdraws his or her child to attend an eligible
35 private school.

36 (c) Any student participating in the scholarship program
37 must remain in attendance throughout the school year unless
38 excused by the school for illness or other good cause.

39 (d) Each parent and each student has an obligation to the
40 private school to comply with the private school's published
41 policies.

42 (e) The parent shall ensure that the student participating
43 in the scholarship program takes the norm-referenced assessment
44 offered by the private school. The parent shall also have the
45 student participate in the statewide assessments pursuant to s.
46 1008.22.

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47 (f) Upon receipt of a scholarship warrant from the
48 eligible nonprofit scholarship-funding organization, the parent
49 to whom the warrant is made must restrictively endorse the
50 warrant to the private school for deposit into the account of
51 the private school. The parent may not designate any entity or
52 individual associated with the participating private school as
53 the parent's attorney in fact to endorse a scholarship warrant.
54 A participant who fails to comply with this paragraph forfeits
55 the scholarship. As a condition for scholarship payment pursuant
56 to paragraph (4)(g), if the parent chooses for his or her child
57 to attend an eligible nonpublic school, the parent must inform
58 the child's school district within 15 days after such decision.

59 (8)-(6) PRIVATE ELIGIBLE NONPUBLIC SCHOOL ELIGIBILITY AND
60 OBLIGATIONS.--An eligible private nonpublic school may be
61 sectarian or nonsectarian and must:

62 (a) Comply with all requirements for private schools
63 participating in state school choice scholarship programs
64 pursuant to s. 1002.421.

65 (b) Provide to the eligible nonprofit scholarship-funding
66 organization, upon request, all documentation required for the
67 student's participation, including the private school's and
68 student's fee schedules.

69 (c) Be academically accountable to the parent for meeting
70 the educational needs of the student by:

71 1. At a minimum, annually providing to the parent a
72 written explanation of the student's progress.

73 2. Annually requiring students participating in the
74 scholarship program to take the FCAT. Students with disabilities
75 for whom standardized testing is not appropriate are exempt from

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76 | this requirement. A participating private school must report a
77 | student's scores to the parent.

78 | 3. Cooperating with the scholarship student with respect
79 | to participation in the statewide assessments pursuant to s.
80 | 1008.32.

81 |
82 | The inability of a private school to meet the requirements of
83 | this subsection shall constitute a basis for the ineligibility
84 | of the private school to participate in the scholarship program
85 | as determined by the Department of Education.

86 | ~~(a) Demonstrate fiscal soundness by being in operation for~~
87 | ~~one school year or provide the Department of Education with a~~
88 | ~~statement by a certified public accountant confirming that the~~
89 | ~~nonpublic school desiring to participate is insured and the~~
90 | ~~owner or owners have sufficient capital or credit to operate the~~
91 | ~~school for the upcoming year serving the number of students~~
92 | ~~anticipated with expected revenues from tuition and other~~
93 | ~~sources that may be reasonably expected. In lieu of such a~~
94 | ~~statement, a surety bond or letter of credit for the amount~~
95 | ~~equal to the scholarship funds for any quarter may be filed with~~
96 | ~~the department.~~

97 | ~~(b) Comply with the antidiscrimination provisions of 42~~
98 | ~~U.S.C. s. 2000d.~~

99 | ~~(c) Meet state and local health and safety laws and codes.~~

100 | ~~(d) Comply with all state laws relating to general~~
101 | ~~regulation of nonpublic schools.~~

102 | (9) DEPARTMENT OF EDUCATION OBLIGATIONS.--The Department
103 | of Education shall:

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104 (a) Annually submit to the department, by March 15, a list
105 of eligible nonprofit scholarship-funding organizations that
106 meet the requirements of paragraph (2)(c).

107 (b) Annually verify the eligibility of nonprofit
108 scholarship-funding organizations that meet the requirements of
109 paragraph (2)(c).

110 (c) Annually verify the eligibility of private schools
111 that meet the requirements of subsection (8).

112 (d) Annually verify the eligibility of expenditures as
113 provided in paragraph (6)(d) using the audit required by
114 paragraph (6)(1).

115 (e) Establish a toll-free hotline that provides parents
116 and private schools with information on participation in the
117 scholarship program.

118 (f) Establish a process by which individuals may notify
119 the Department of Education of any violation by a parent,
120 private school, or school district of state laws relating to
121 program participation. The Department of Education shall conduct
122 an inquiry of any written complaint of a violation of this
123 section, or make a referral to the appropriate agency for an
124 investigation, if the complaint is signed by the complainant and
125 is legally sufficient. A complaint is legally sufficient if it
126 contains ultimate facts that show that a violation of this
127 section or any rule adopted by the State Board of Education has
128 occurred. In order to determine legal sufficiency, the
129 Department of Education may require supporting information or
130 documentation from the complainant. A department inquiry is not
131 subject to the requirements of chapter 120.

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132 (g) Require an annual, notarized, sworn compliance
133 statement by participating private schools certifying compliance
134 with state laws and shall retain such records.

135 (h) Cross-check the list of participating scholarship
136 students with the public school enrollment lists to avoid
137 duplication.

138 (i) Notify an eligible nonprofit scholarship-funding
139 organization of any of the organization's identified students
140 who are receiving educational scholarships pursuant to chapter
141 1002.

142 (j) Notify an eligible nonprofit scholarship-funding
143 organization of any of the organization's identified students
144 who are receiving corporate income tax credit scholarships from
145 other eligible nonprofit scholarship-funding organizations.

146 (k) Require quarterly reports by an eligible nonprofit
147

148 ===== T I T L E A M E N D M E N T =====

149 Remove line(s) 61-63 and insert:
150 and certification of compliance by private schools; providing
151 Commissioner of Education