

Bill No. CS for CS for SB 772, 1st Eng.

Barcode 393634

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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11 Senator Wise moved the following amendment:

13 **Senate Amendment (with title amendment)**

14 On page 31, between lines 17 and 18,

16 insert:

17 Section 15. Supplemental educational services in Title
18 I schools; school district and provider responsibilities.--

19 (1) INCENTIVES.--A provider or school district may not
20 provide incentives to entice a student or a student's parent
21 to choose a provider. After a provider has been chosen, the
22 student may be awarded incentives for performance or
23 attendance, the total value of which may not exceed \$50 per
24 student per year.

25 (2) RESPONSIBILITIES OF SCHOOL DISTRICT AND
26 PROVIDER.--

27 (a) School districts must create a streamlined parent
28 enrollment and provider selection process for supplemental
29 educational services and ensure that the process enables
30 eligible students to begin receiving supplemental educational
31 services no later than October 15 of each school year.

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1 (b) Supplemental educational services enrollment forms
2 must be made freely available to the parents of eligible
3 students and providers both prior to and after the start of
4 the school year.

5 (c) School districts must provide notification to
6 parents of students eligible to receive supplemental
7 educational services prior to and after the start of the
8 school year. Notification shall include contact information
9 for state-approved providers as well as the enrollment form,
10 clear instructions, and timeline for the selection of
11 providers and commencement of services.

12 (d) State-approved supplemental educational services
13 providers must be able to provide services to eligible
14 students no later than October 15 of each school year
15 contingent upon their receipt of their district-approved
16 student enrollment lists at least 20 days prior to the start
17 date.

18 (e) In the event that the contract with a
19 state-approved provider is signed less than 20 days prior to
20 October 15, the provider shall be afforded no less than 20
21 days from the date the contract was executed to begin
22 delivering services.

23 (f) A school district must hold open student
24 enrollment for supplemental educational services unless or
25 until it has obtained a written election to receive or reject
26 services from parents in accordance with paragraph (3)(a).

27 (g) School districts, using the same policies applied
28 to other organizations that have access to school sites, shall
29 provide access to school facilities to providers that wish to
30 use these sites for supplemental educational services.

31 (3) COMPLIANCE; PENALTIES FOR NONCOMPLIANCE.--

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1 (a) Compliance is met when the school district has
 2 obtained evidence of reception or rejection of services from
 3 the parents of at least a majority of the students receiving
 4 free or reduced-price lunch in Title I schools that are
 5 eligible for parental choice of transportation or supplemental
 6 educational services unless a waiver is granted by the State
 7 Board of Education. A waiver shall only be granted if there is
 8 clear and convincing evidence of the district's efforts to
 9 secure evidence of the parent's decision. Requirements for
 10 parental election to receive supplemental educational services
 11 shall not exceed the election requirements for the free and
 12 reduced-price lunch program.

13 (b) A provider must be able to deliver supplemental
 14 educational services to school districts in which the provider
 15 is approved by the state. If a state-approved provider
 16 withdraws from offering services to students in a school
 17 district in which it is approved and in which it has signed
 18 either a contract to provide services or a letter of intent
 19 and the minimums per site set by the provider have been met,
 20 the school district must report the provider to the
 21 department. The provider shall be immediately removed from the
 22 state-approved list for the current school year for that
 23 school district. Upon the second such withdrawal in any school
 24 district, the provider shall be ineligible to provide services
 25 in the state the following year.

26 (4) REALLOCATION OF FUNDS.--If a school district has
 27 not spent the required supplemental educational services
 28 set-aside funding, the district may apply to the Department of
 29 Education after January 1 for authorization to reallocate the
 30 funds. If the Commissioner of Education does not approve the
 31 reallocation of funds, the district may appeal to the State

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1 Board of Education. The State Board of Education must consider
2 the appeal within 60 days of its receipt and the decision of
3 the state board shall be final.

4 (5) RULES.--The State Board of Education may adopt
5 rules pursuant to ss. 120.536(1) and 120.54, Florida Statutes,
6 to implement the provisions of this section and may enforce
7 the provisions of this section pursuant to s. 1008.32, Florida
8 Statutes.

9 Section 16. The Department of Education shall
10 establish a committee of practitioners pursuant to federal
11 requirements of the No Child Left Behind Act of 2001. The
12 committee members shall be appointed by the Commissioner of
13 Education and shall annually report to the Governor, the
14 President of Senate, and the Speaker of the House of
15 Representatives by January 1. The committee shall meet
16 regularly and is authorized to review potential rules and
17 policies that will be considered by the State Board of
18 Education.

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

22 And the title is amended as follows:

23 On page 3, line 20, after the semicolon

24

25 insert:

26 providing requirements with respect to the
27 awarding of incentives; authorizing incentives
28 for student performance or attendance and
29 establishing limits; establishing
30 responsibilities of school districts and
31 supplemental educational services providers;

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1 providing requirements for school district and
2 provider compliance; providing penalties for
3 noncompliance; authorizing application for
4 reallocation of funds and providing for appeal;
5 authorizing adoption of rules and providing for
6 enforcement; requiring the Department of
7 Education to establish a committee of
8 practitioners; providing for appointment and
9 authority;

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