



311558

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/14/2010	.	
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	.	

The Committee on Education Pre-K - 12 (Thrasher) recommended the following:

Senate Amendment (with directory and title amendments)

Between lines 80 and 81
insert:

(7) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—

(a) The Commissioner of Education:

1. Shall deny, suspend, or revoke a private school's participation in the scholarship program if it is determined that the private school has failed to comply with the provisions of this section. However, ~~if in instances in which~~ the noncompliance is correctable within a reasonable amount of time and ~~if in which~~ the health, safety, or welfare of the students



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13 is not threatened, the commissioner may issue a notice of
14 noncompliance which provides ~~shall provide~~ the private school
15 with a timeframe within which to provide evidence of compliance
16 before ~~prior to~~ taking action to suspend or revoke the private
17 school's participation in the scholarship program.

18 2. May deny, suspend, or revoke a private school's
19 participation in the scholarship program if the commissioner
20 determines that an owner or operator of the private school is
21 operating or has operated an educational institution in this
22 state or in another state or jurisdiction in a manner contrary
23 to the health, safety, or welfare of the public.

24 a. In making such a determination, the commissioner may
25 consider factors that include, but are not limited to, acts or
26 omissions by an owner or operator which led to a previous denial
27 or revocation of participation in an education scholarship
28 program; an owner's or operator's failure to reimburse the
29 Department of Education for scholarship funds improperly
30 received or retained by a school; imposition of a prior criminal
31 sanction related to an owner's or operator's management or
32 operation of an educational institution; imposition of a civil
33 fine or administrative fine, license revocation or suspension,
34 or program eligibility suspension, termination, or revocation
35 related to an owner's or operator's management or operation of
36 an educational institution; or other types of criminal
37 proceedings in which an owner or operator was found guilty of,
38 regardless of adjudication, or entered a plea of nolo contendere
39 or guilty to, any offense involving fraud, deceit, dishonesty,
40 or moral turpitude.

41 b. For purposes of this subparagraph, the term "owner or



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42 operator" includes an owner, operator, superintendent, or
43 principal of, or a person who has equivalent decisionmaking
44 authority over, a private school participating in the
45 scholarship program.

46
47 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

48 And the directory clause is amended as follows:

49 Delete line 27

50 and insert:

51 Section 1. Subsection (2), paragraph (a) of subsection (7),
52 and paragraphs (a), (c), and (d)

53
54 ===== T I T L E A M E N D M E N T =====

55 And the title is amended as follows:

56 Delete line 8

57 and insert:

58 Scholarship; authorizing the Commissioner of Education
59 to deny, suspend, or revoke a school's participation
60 in the scholarship program if the owner or operator of
61 the school operates the school in a manner contrary to
62 the health, safety, or welfare of the public;
63 conforming cross-references; amending s.