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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/22/2018	.	
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The Committee on Education (Galvano) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 1002.40, Florida Statutes, is created to
read:

1002.40 The Hope Scholarship Program.-

(1) PURPOSE.-The Hope Scholarship Program is established to
provide the parent of a public school student who was the victim
of a substantiated incident of violence or abuse, as listed in
subsection (3), an opportunity to transfer the student to



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12 another public school or to request and receive from the state a
13 scholarship for the student to enroll in and attend an eligible
14 private school.

15 (2) DEFINITIONS.—As used in this section, the term:

16 (a) "Department" means the Department of Education.

17 (b) "Eligible contribution" or "contribution" means a
18 monetary contribution from a person required to pay sales and
19 use tax on the purchase or acquisition of a motor vehicle,
20 subject to the restrictions provided in this section, to an
21 eligible nonprofit scholarship-funding organization. The
22 taxpayer making the contribution may not designate a specific
23 student as the beneficiary of the contribution.

24 (c) "Eligible nonprofit scholarship-funding organization"
25 or "organization" has the same meaning as provided in s.
26 1002.395(2)(f), as determined by the department.

27 (d) "Eligible private school" has the same meaning as
28 provided in s. 1002.395(2)(g), as determined by the department.

29 (e) "Motor vehicle" has the same meaning as provided in s.
30 320.01(1)(a), but does not include heavy trucks, truck tractors,
31 trailers, and motorcycles.

32 (f) "Parent" means a resident of this state who is a
33 parent, as defined in s. 1000.21, and whose public school
34 student was the victim of a reported incident, as listed in
35 subsection (3).

36 (g) "Program" means the Hope Scholarship Program.

37 (h) "School" includes any educational program or activity
38 conducted by a public K-12 educational institution, any school-
39 related or school-sponsored program or activity, and riding on a
40 school bus, as defined in s. 1006.25(1), including waiting at a



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41 school bus stop.

42 (i) "Unweighted FTE funding amount" means the statewide
43 average total funds per unweighted full-time equivalent funding
44 amount that is incorporated by reference in the General
45 Appropriations Act for the applicable state fiscal year.

46 (3) PROGRAM ELIGIBILITY.—Beginning with the 2018-2019
47 school year, contingent upon available funds, and on a first-
48 come, first-served basis, a student enrolled full time in a
49 Florida public school in kindergarten through grade 12 is
50 eligible for a scholarship under this program if all of the
51 following conditions are met:

52 (a) The student is the victim of a substantiated incident
53 of battery; harassment; hazing; bullying; kidnapping; physical
54 attack; robbery; sexual offenses, harassment, assault, or
55 battery; threat or intimidation; or fighting at school.

56 (b) The incident is formally reported by the victim or the
57 victim's parent to the principal.

58 (c) Through an investigation, the principal finds that the
59 incident is substantiated.

60 (d) The principal's investigation remains open or the
61 district's resolution of issues related to the incident remain
62 unresolved after timely notification, deliberative evaluation,
63 and 30 days of responsible and appropriate action taken in
64 accordance with paragraph (5) (a).

65 (4) PROGRAM PROHIBITIONS.—Payment of a scholarship may not
66 be made if a student is:

67 (a) Enrolled in a public school, including, but not limited
68 to, the Florida School for the Deaf and the Blind; the College-
69 Preparatory Boarding Academy; the Florida Virtual School; a



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70 developmental research school authorized under s. 1002.32; or a
71 charter school authorized under s. 1002.33, s. 1002.331, s.
72 1002.332, or s. 1002.333;

73 (b) Enrolled in a school operating for the purpose of
74 providing educational services to youth in the Department of
75 Juvenile Justice commitment programs;

76 (c) Participating in a virtual school, correspondence
77 school, or distance learning program that receives state funding
78 pursuant to the student's participation unless the participation
79 is limited to no more than two courses per school year;

80 (d) Receiving any other educational scholarship pursuant to
81 this chapter; or

82 (e) Participating in a home education program, as defined
83 in s. 1002.01.

84 (5) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.—

85 (a)1. Within 24 hours after receipt of a formal report of
86 an incident listed in subsection (3)(a), the principal shall
87 provide a copy of the report to the victim's parent and the
88 alleged offender's parent. The report must include a statement
89 of the expected investigative actions and the timeline for
90 reporting the outcome of the investigation. Within 24 hours
91 after receipt of the formal report, the principal must also
92 provide the superintendent with a copy of the report and
93 verification that the parents of the victim and the alleged
94 offender have been provided a copy of the incident report and
95 other required information.

96 2. In accordance with s. 1006.09, the principal must
97 investigate the incident to determine if the incident is
98 substantiated or unsubstantiated, and if the incident must be



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99 reported. The principal may, at his or her discretion, determine
100 the extent to which each student was engaged in instigating,
101 initiating, or reacting to a physical altercation, and may
102 consider such information when evaluating and determining
103 appropriate disciplinary actions and investigation outcomes.

104 3. During the investigation period, the principal and the
105 superintendent shall take all necessary actions to continue the
106 educational services of students involved in the reported
107 incident while taking every reasonable precaution to keep the
108 alleged offender separated from the victim or any sibling of the
109 victim while on school grounds or on school transportation,
110 pursuant to ss. 1006.09, 1006.13, and 1006.147, as appropriate.

111 4. Upon the principal's determination that an alleged
112 incident is unsubstantiated or the resolution of issues related
113 to a substantiated incident or within 15 days after the incident
114 was reported, whichever occurs first, the principal must report
115 to the victim's parent and the alleged offender's parent the
116 findings, outcome, or status of the investigation. The principal
117 shall continue to provide such reports to the parents at least
118 every 15 days until the investigation concludes and issues
119 associated with the incident are resolved.

120 5. If the principal's investigation into the incident
121 remains open more than 30 days after the date a substantiated
122 incident was reported or issues associated with the incident
123 remain unresolved the school district, in accordance with the
124 school district's code of student conduct, shall notify the
125 victim's parent of the availability of the program and offer
126 that parent an opportunity to enroll his or her student in
127 another public school or to request and receive a scholarship to



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128 attend an eligible private school, subject to available funding.

129 6. To facilitate timely, appropriate, and fiscally
130 accountable scholarship payments, school districts must report
131 and verify student enrollment information during and outside of
132 regular FTE student enrollment survey periods, as requested by
133 the department pursuant to paragraph (7) (d).

134 (b)1. A parent who, pursuant to s. 1002.31, chooses to
135 enroll his or her student in a Florida public school located
136 outside the district in which the student resides shall be
137 eligible for a scholarship under paragraph (11) (b) to transport
138 the student.

139 2. For each student participating in the program in a
140 private school who chooses to participate in the statewide
141 assessments under s. 1008.22 or the Florida Alternate
142 Assessment, the school district in which the student resides
143 must notify the student and his or her parent about the
144 locations and times to take all statewide assessments.

145 (6) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible
146 private school may be sectarian or nonsectarian and shall:

147 (a) Meet the definition of a private school in s. 1002.01
148 and comply with all requirements for private schools
149 participating in state school choice scholarship programs
150 pursuant to this section and s. 1002.421.

151 (b) Provide to the organization and the department, upon
152 request, all documentation required for the student's
153 participation, including, but not limited to, the private
154 school's and the student's fee schedules.

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



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

159 2. Annually administering or making provision for students
160 participating in the program in grades 3 through 10 to take one
161 of the nationally norm-referenced tests identified by the
162 department or the statewide assessments pursuant to s. 1008.22.
163 Students with disabilities for whom standardized testing is not
164 appropriate are exempt from this requirement. A participating
165 private school shall report a student's scores to his or her
166 parent.

167 3. Cooperating with the student whose parent chooses to
168 have the student participate in the statewide assessments
169 pursuant to s. 1008.22 or, if a private school chooses to offer
170 the statewide assessments, administering the assessments at the
171 school.

172 a. A participating private school may choose to offer and
173 administer the statewide assessments to all students who attend
174 the private school in grades 3 through 10.

175 b. A participating private school shall submit a request in
176 writing to the department by March 1 of each year in order to
177 administer the statewide assessments in the subsequent school
178 year.

179 (d) Employ or contract with teachers who have regular and
180 direct contact with each student receiving a scholarship under
181 this section at the school's physical location.

182 (e) Maintain in this state a physical location where a
183 scholarship student regularly attends classes.

184 (f) Provide a report from an independent certified public
185 accountant who performs the agreed-upon procedures developed



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186 under s. 1002.395(6)(o) if the private school receives more than
187 \$250,000 in funds from scholarships awarded under this section
188 in a state fiscal year. A private school subject to this
189 paragraph must annually submit the report by September 15 to the
190 organization that awarded the majority of the school's
191 scholarship funds. The agreed-upon procedures must be conducted
192 in accordance with attestation standards established by the
193 American Institute of Certified Public Accountants.

194
195 The failure of a private school to meet the requirements of this
196 subsection constitutes a basis for the ineligibility of the
197 private school to participate in the program, as determined by
198 the department.

199 (7) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department
200 shall:

201 (a) Establish a toll-free hotline that provides parents and
202 private schools with information on participation in the
203 program.

204 (b) Annually verify the eligibility of private schools that
205 meet the requirements of subsection (6).

206 (c) Require an annual notarized and sworn compliance
207 statement by participating private schools certifying compliance
208 with state laws and retain such records.

209 (d) Cross-check the list of participating students with the
210 public school enrollment lists and participation lists in other
211 scholarship programs established under this chapter before each
212 scholarship payment to avoid duplication.

213 (e) Maintain a list of nationally norm-referenced tests
214 identified for purposes of satisfying the testing requirement in



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215 paragraph (9) (f). The tests must meet industry standards of
216 quality in accordance with State Board of Education rule.

217 (f) Require quarterly reports by an eligible nonprofit
218 scholarship-funding organization regarding the number of
219 students participating in the scholarship program, the private
220 schools in which the students are enrolled, and other
221 information deemed necessary by the department.

222 (g) Contract with an independent entity to provide an
223 annual evaluation of the program by:

224 1. Reviewing the school climate and code of student conduct
225 of each public school that reported the occurrence of a monthly
226 average of 10 or more substantiated incidents to determine areas
227 in the school or school district procedures involving reporting,
228 investigating, and communicating a parent's and student's rights
229 which are in need of improvement. At a minimum, the review must
230 include:

231 a. An assessment of the investigation time and quality of
232 the response of the school and the school district;

233 b. An assessment of the effectiveness of communication
234 procedures with the students involved in an incident, the
235 students' parents, and the school and school district personnel;

236 c. An analysis of school incident and discipline data; and

237 d. The challenges and obstacles relating to implementing
238 recommendations from this review.

239 2. Reviewing the school climate and code of student conduct
240 of each public school a student transferred to if the student
241 was from a school identified in subparagraph 1. in order to
242 identify best practices and make recommendations to a public
243 school at which the incidents occurred.



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244 3. Reviewing the performance of participating students
245 enrolled in a private school in which the majority of the
246 school's total enrolled students in the prior school year
247 participated in one or more scholarship programs, as defined in
248 s. 1002.01, in which there are at least 10 participating
249 students who have scores for tests administered; and reviewing
250 the school climate and code of student conduct of the private
251 school if one or more scholarship participants were involved in
252 a reported incident at the school during the prior school year.

253 4. Surveying the parents of participating students to
254 determine academic, safety, and school climate satisfaction and
255 to identify any challenges or obstacles in addressing the
256 incident or relating to the use of the scholarship.

257 (h) Upon the request of a participating private school,
258 provide at no cost to the school the statewide assessments
259 administered under s. 1008.22 and any related materials for
260 administering the assessments. Students at a private school may
261 be assessed using the statewide assessments if the addition of
262 those students and the school does not cause the state to exceed
263 its contractual caps for the number of students tested and the
264 number of testing sites. The state shall provide the same
265 materials and support to a private school that it provides to a
266 public school. A private school that chooses to administer
267 statewide assessments under s. 1008.22 shall follow the
268 requirements set forth in ss. 1008.22 and 1008.24, rules adopted
269 by the State Board of Education to implement those sections, and
270 district-level testing policies established by the district
271 school board.

272 (i) Establish a process by which individuals may notify the



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273 department of any violation by a parent, private school, or
274 school district of state laws relating to program participation.
275 The department shall conduct an inquiry or make a referral to
276 the appropriate agency for an investigation of any written
277 complaint of a violation of this section if the complaint is
278 signed by the complainant and is legally sufficient. A complaint
279 is legally sufficient if such complaint contains ultimate facts
280 that show that a violation of this section or any rule adopted
281 by the State Board of Education pursuant to this section has
282 occurred. In order to determine legal sufficiency, the
283 department may require supporting information or documentation
284 from the complainant. A department inquiry is not subject to the
285 requirements of chapter 120.

286 (j)1. Conduct site visits to participating private schools.
287 The purpose of the site visits is solely to verify the
288 information reported by the schools concerning the enrollment
289 and attendance of students, the credentials of teachers,
290 background screening of teachers, teachers' fingerprinting
291 results, and other conditions required pursuant to s. 1002.421
292 and this section. The department may not make more than seven
293 site visits each year; however, the department may make
294 additional site visits at any time to a school that is the
295 subject of a violation complaint submitted pursuant to paragraph
296 (i), is identified by an organization for a known or suspected
297 violation, or has received a notice of noncompliance or a notice
298 of proposed action within the current year or the previous 2
299 years.

300 2. Annually, by December 15, report to the Governor, the
301 President of the Senate, and the Speaker of the House of



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302 Representatives the department's actions with respect to
303 implementing accountability in the program under this section
304 and s. 1002.421, any substantiated allegations or violations of
305 law or rule by an eligible private school under this program and
306 the corrective action taken by the department.

307 (8) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.-

308 (a) The Commissioner of Education:

309 1. Shall deny, suspend, or revoke a private school's
310 participation in the program if it is determined that the
311 private school has failed to comply with the provisions of this
312 section. However, if the noncompliance is correctable within a
313 reasonable amount of time and if the health, safety, or welfare
314 of the students is not threatened, the commissioner may issue a
315 notice of noncompliance which provides the private school with a
316 timeframe within which to provide evidence of compliance before
317 taking action to suspend or revoke the private school's
318 participation in the program.

319 2. May deny, suspend, or revoke a private school's
320 participation in the program if the commissioner determines that
321 an owner or operator of the private school is operating or has
322 operated an educational institution in this state or in another
323 state or jurisdiction in a manner contrary to the health,
324 safety, or welfare of the public.

325 a. In making such a determination, the commissioner may
326 consider factors that include, but are not limited to, acts or
327 omissions by an owner or operator which led to a previous denial
328 or revocation of participation in an education scholarship
329 program; an owner's or operator's failure to reimburse the
330 department for scholarship funds improperly received or retained



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331 by a school; imposition of a prior criminal sanction related to
332 an owner's or operator's management or operation of an
333 educational institution; imposition of a civil fine or
334 administrative fine, license revocation or suspension, or
335 program eligibility suspension, termination, or revocation
336 related to an owner's or operator's management or operation of
337 an educational institution; or other types of criminal
338 proceedings in which an owner or operator was found guilty of,
339 regardless of adjudication, or entered a plea of nolo contendere
340 or guilty to, any offense involving fraud, deceit, dishonesty,
341 or moral turpitude.

342 b. For purposes of this subparagraph, the term "owner or
343 operator" includes an owner, operator, superintendent, or
344 principal of, or a person who has equivalent decisionmaking
345 authority over, a private school participating in the
346 scholarship program.

347 (b) The commissioner's determination is subject to the
348 following:

349 1. If the commissioner intends to deny, suspend, or revoke
350 a private school's participation in the program, the department
351 shall notify the private school of such proposed action in
352 writing by certified mail and regular mail to the private
353 school's address of record with the department. The notification
354 shall include the reasons for the proposed action and notice of
355 the timelines and procedures set forth in this paragraph.

356 2. The private school that is adversely affected by the
357 proposed action shall have 15 days after receipt of the notice
358 of proposed action to file with the department's agency clerk a
359 request for a proceeding pursuant to ss. 120.569 and 120.57. If



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360 the private school is entitled to a hearing under s. 120.57(1),
361 the department shall refer the request to the Division of
362 Administrative Hearings.

363 3. Upon receipt of a request referred pursuant to this
364 paragraph, the director of the Division of Administrative
365 Hearings shall expedite the hearing and assign an administrative
366 law judge who shall commence a hearing within 30 days after the
367 receipt of the formal written request by the division and enter
368 a recommended order within 30 days after the hearing or within
369 30 days after receipt of the hearing transcript, whichever is
370 later. Each party shall be allowed 10 days in which to submit
371 written exceptions to the recommended order. A final order shall
372 be entered by the agency within 30 days after the entry of a
373 recommended order. The provisions of this subparagraph may be
374 waived upon stipulation by all parties.

375 (c) The commissioner may immediately suspend payment of
376 scholarship funds if it is determined that there is probable
377 cause to believe that there is:

378 1. An imminent threat to the health, safety, or welfare of
379 the students; or

380 2. Fraudulent activity on the part of the private school.
381 Notwithstanding s. 1002.22, in incidents of alleged fraudulent
382 activity pursuant to this section, the department's Office of
383 Inspector General is authorized to release personally
384 identifiable records or reports of students to the following
385 persons or organizations:

386 a. A court of competent jurisdiction in compliance with an
387 order of that court or the attorney of record in accordance with
388 a lawfully issued subpoena, consistent with the Family



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389 Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

390 b. A person or entity authorized by a court of competent
391 jurisdiction in compliance with an order of that court or the
392 attorney of record pursuant to a lawfully issued subpoena,
393 consistent with the Family Educational Rights and Privacy Act,
394 20 U.S.C. s. 1232g.

395 c. Any person, entity, or authority issuing a subpoena for
396 law enforcement purposes when the court or other issuing agency
397 has ordered that the existence or the contents of the subpoena
398 or the information furnished in response to the subpoena not be
399 disclosed, consistent with the Family Educational Rights and
400 Privacy Act, 20 U.S.C. s. 1232g, and 34 C.F.R. s. 99.31.

401
402 The commissioner's suspension of payment pursuant to this
403 paragraph may be appealed pursuant to the same procedures and
404 timelines as the notice of proposed action set forth in
405 paragraph (b).

406 (9) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
407 PARTICIPATION.—A parent who applies for a Hope Scholarship is
408 exercising his or her parental option to place his or her
409 student in an eligible private school.

410 (a) The parent must select an eligible private school and
411 apply for the admission of his or her student.

412 (b) The parent must inform the student's school district
413 when the parent withdraws his or her student to attend an
414 eligible private school.

415 (c) Any student participating in the program must comply
416 with the regular attendance requirements of s. 1003.01(13) and
417 remain in attendance throughout the school year unless excused



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418 by the school for illness or other good cause.

419 (d) Each parent and each student has an obligation to the
420 private school to comply with the private school's published
421 policies.

422 (e) Upon reasonable notice to the department and the school
423 district, the parent may remove the student from the private
424 school and place the student in a public school in accordance
425 with this section.

426 (f) The parent must ensure that the student participating
427 in the program takes the norm-referenced assessment offered by
428 the private school. The parent may also choose to have the
429 student participate in the statewide assessments pursuant to s.
430 1008.22. If the parent requests that the student participating
431 in the program take the statewide assessments pursuant to s.
432 1008.22 and the private school has not chosen to offer and
433 administer the statewide assessments, the parent is responsible
434 for transporting the student to the assessment site designated
435 by the school district.

436 (g) Upon receipt of a scholarship warrant, the parent to
437 whom the warrant is made must restrictively endorse the warrant
438 to the private school for deposit into the account of the
439 private school. The parent may not designate any entity or
440 individual associated with the participating private school as
441 the parent's attorney in fact to endorse a scholarship warrant.
442 A parent who fails to comply with this paragraph forfeits the
443 scholarship.

444 (10) OBLIGATIONS OF NONPROFIT SCHOLARSHIP-FUNDING
445 ORGANIZATIONS.—An organization may establish scholarships for
446 eligible students by:



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447 (a) Receiving applications and determining student
448 eligibility in accordance with the requirements of this section.

449 (b) Notifying parents of their receipt of a scholarship on
450 a first-come, first-served basis, based upon available funds.

451 (c) Preparing and submitting quarterly and annual reports
452 to the department pursuant to paragraphs (7) (f) and (g). In
453 addition, an eligible nonprofit scholarship-funding organization
454 must submit in a timely manner any information requested by the
455 department relating to the scholarship program.

456 (d) Notifying the department of any known or suspected
457 violation of this section by a private school, parent, or
458 student.

459 (11) FUNDING AND PAYMENT.—

460 (a) The maximum amount awarded to a student enrolled in an
461 eligible private school shall be determined as a percentage of
462 the unweighted FTE funding amount for that state fiscal year and
463 thereafter as follows:

464 1. Eighty-eight percent for a student enrolled in
465 kindergarten through grade 5.

466 2. Ninety-two percent for a student enrolled in grade 6
467 through grade 8.

468 3. Ninety-six percent for a student enrolled in grade 9
469 through grade 12.

470 (b) The maximum amount awarded to a student enrolled in a
471 Florida public school located outside of the district in which
472 the student resides shall be \$750.

473 (c) When a student enters the program, the organization
474 must receive all documentation required for the student's
475 participation, including a copy of the report of the



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476 substantiated incident received pursuant to subsection (5) and
477 the private school's and the student's fee schedules. The
478 initial payment shall be made after verification of admission
479 acceptance, and subsequent payments shall be made upon
480 verification of continued enrollment and attendance at the
481 private school.

482 (d) Payment of the scholarship by the eligible nonprofit
483 scholarship-funding organization shall be by individual warrant
484 made payable to the student's parent. If the parent chooses that
485 his or her student attend an eligible private school, the
486 warrant must be delivered by the eligible nonprofit scholarship-
487 funding organization to the private school of the parent's
488 choice, and the parent shall restrictively endorse the warrant
489 to the private school.

490 (e) An eligible nonprofit scholarship-funding organization
491 shall obtain verification from the private school of a student's
492 continued attendance at the school for each period covered by a
493 scholarship payment.

494 (f) Payment of the scholarship shall be made by the
495 eligible nonprofit scholarship-funding organization no less
496 frequently than on a quarterly basis.

497 (g) An organization may use up to 3 percent of eligible
498 contributions received during the state fiscal year in which
499 such contributions are collected for administrative expenses if
500 the organization has operated as an eligible nonprofit
501 scholarship-funding organization for at least the preceding 3
502 fiscal years and did not have any findings of material weakness
503 or material noncompliance in its most recent audit under s.
504 1002.395(6)(m). Such administrative expenses must be reasonable



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505 and necessary for the organization's management and distribution
506 of eligible contributions under this section. Funds authorized
507 under this paragraph may not be used for lobbying or political
508 activity or expenses related to lobbying or political activity.
509 Up to one-third of the funds authorized for administrative
510 expenses under this paragraph may be used for expenses related
511 to the recruitment of contributions from taxpayers. An eligible
512 nonprofit scholarship-funding organization may not charge an
513 application fee.

514 (h) Moneys received pursuant to this section do not
515 constitute taxable income to the qualified student or his or her
516 parent.

517 (12) OBLIGATIONS OF THE AUDITOR GENERAL.—

518 (a) The Auditor General shall conduct an annual operational
519 audit of accounts and records of each organization that
520 participates in the program. As part of this audit, the Auditor
521 General shall verify, at a minimum, the total number of students
522 served and transmit that information to the department. The
523 Auditor General shall provide the commissioner with a copy of
524 each annual operational audit performed pursuant to this
525 subsection within 10 days after the audit is finalized.

526 (b) The Auditor General shall notify the department of any
527 organization that fails to comply with a request for
528 information.

529 (13) SCHOLARSHIP FUNDING TAX CREDITS.—

530 (a) A tax credit is available under s. 212.1832 for use by
531 a taxpayer that makes an eligible contribution to the program.
532 Each eligible contribution is limited to a single payment of \$20
533 at the time of purchase of a motor vehicle or a single payment



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534 of \$20 at the time of registration of a motor vehicle that was
535 not purchased from a dealer. An eligible contribution shall be
536 accompanied by an election to contribute to the program and
537 shall be made by the purchaser at the time of purchase or at the
538 time of registration on a form provided by the Department of
539 Revenue. Payments of contributions shall be made to a dealer, as
540 defined in chapter 212, at the time of purchase of a motor
541 vehicle or to an agent of the Department of Revenue, as
542 designated by s. 212.06(10), at the time of registration of a
543 motor vehicle that was not purchased from a dealer.

544 (b) A tax collector or any person or firm authorized to
545 sell or issue a motor vehicle license who is designated as an
546 agent of the Department of Revenue pursuant to s. 212.06(10) or
547 who is a dealer shall:

548 1. Provide the purchaser the contribution election form, as
549 prescribed by the Department of Revenue, at the time of purchase
550 of a motor vehicle or at the time of registration of a motor
551 vehicle that was not purchased from a dealer.

552 2. Collect eligible contributions.

553 3. Using a form provided by the Department of Revenue,
554 which shall include the dealer's or agent's federal employer
555 identification number, remit to an organization on or before the
556 20th day of each month the total amount of contributions made to
557 that organization and collected during the preceding calendar
558 month.

559 4. Report on each return filed with the Department of
560 Revenue the total amount of credits allowed under s. 212.1832
561 during the preceding calendar month.

562 (c) An organization shall report to the Department of



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563 Revenue, on or before the 20th day of each month, the total
564 amount of contributions received pursuant to paragraph (b) in
565 the preceding calendar month on a form provided by the
566 Department of Revenue. Such report shall include the federal
567 employer identification number of each tax collector, authorized
568 agent of the Department of Revenue, or dealer who remitted
569 contributions to the organization during that reporting period.

570 (d) A person who, with intent to unlawfully deprive or
571 defraud the program of its moneys or the use or benefit thereof,
572 fails to remit a contribution collected under this section is
573 guilty of theft of charitable funds, punishable as follows:

574 1. If the total amount stolen is less than \$300, the
575 offense is a misdemeanor of the second degree, punishable as
576 provided in s. 775.082 or s. 775.083. Upon a second conviction,
577 the offender is guilty of a misdemeanor of the first degree,
578 punishable as provided in s. 775.082 or s. 775.083. Upon a third
579 or subsequent conviction, the offender is guilty of a felony of
580 the third degree, punishable as provided in s. 775.082, s.
581 775.083, or s. 775.084.

582 2. If the total amount stolen is \$300 or more, but less
583 than \$20,000, the offense is a felony of the third degree,
584 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

585 3. If the total amount stolen is \$20,000 or more, but less
586 than \$100,000, the offense is a felony of the second degree,
587 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

588 4. If the total amount stolen is \$100,000 or more, the
589 offense is a felony of the first degree, punishable as provided
590 in s. 775.082, s. 775.083, or s. 775.084.

591 (e) A person convicted of an offense under paragraph (d)



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592 shall be ordered by the sentencing judge to make restitution to
593 the organization in the amount that was stolen from the program.

594 (14) LIABILITY.—The state is not liable for the award or
595 any use of awarded funds under this section.

596 (15) SCOPE OF AUTHORITY.—This section does not expand the
597 regulatory authority of this state, its officers, or any school
598 district to impose additional regulation on participating
599 private schools beyond those reasonably necessary to enforce
600 requirements expressly set forth in this section.

601 (16) RULES.—The State Board of Education shall adopt rules
602 to administer this section.

603 Section 2. Section 212.1832, Florida Statutes, is created
604 to read:

605 212.1832 Credit for contributions to the Hope Scholarship
606 Program.—

607 (1) There is allowed a credit of 100 percent of an eligible
608 contribution made to an eligible nonprofit scholarship-funding
609 organization under s. 1002.40 against any tax imposed by the
610 state and due under this chapter as a result of the purchase or
611 acquisition of a motor vehicle. The credit may not exceed the
612 tax otherwise owed.

613 (2) For purposes of the distributions of tax revenue under
614 s. 212.20, the department shall disregard any tax credits
615 allowed under this section to ensure that any reduction in tax
616 revenue received that is attributable to the tax credits results
617 only in a reduction in distributions to the General Revenue
618 Fund. The provisions of s. 1002.40 apply to the credit
619 authorized by this section.

620 Section 3. Section 1002.01, Florida Statutes, is amended to



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621 read:

622 1002.01 Definitions.—

623 (1) A “home education program” means the sequentially
624 progressive instruction of a student directed by his or her
625 parent in order to satisfy the attendance requirements of ss.
626 1002.41, 1003.01(13), and 1003.21(1).

627 (2) A “private school” is a nonpublic school that is
628 registered in accordance with s. 1002.42 and is defined as an
629 individual, association, copartnership, or corporation, or
630 department, division, or section of such organizations, that
631 designates itself as an educational center that includes
632 kindergarten or a higher grade or as an elementary, secondary,
633 business, technical, or trade school below college level or any
634 organization that provides instructional services that meet the
635 intent of s. 1003.01(13) or that gives preemployment or
636 supplementary training in technology or in fields of trade or
637 industry or that offers academic, literary, or career training
638 below college level, or any combination of the above, including
639 an institution that performs the functions of the above schools
640 through correspondence or extension, except those licensed under
641 the provisions of chapter 1005. A private school may be a
642 parochial, religious, denominational, for-profit, or nonprofit
643 school attended by a student in order to satisfy the attendance
644 requirements of s. 1003.01(13). This definition does not include
645 home education programs conducted in accordance with s. 1002.41.

646 (3) For purposes of this chapter, a “scholarship program”
647 means any one of the following:

648 (a) The Opportunity Scholarship Program established
649 pursuant to s. 1002.38.



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650 (b) The Gardiner Scholarship Program established pursuant
651 to s. 1002.385.

652 (c) The John M. McKay Scholarships for Students with
653 Disabilities Program established pursuant to s. 1002.39.

654 (d) The Florida Tax Credit Scholarship Program established
655 pursuant to s. 1002.395.

656 (e) The Hope Scholarship Program established pursuant to s.
657 1002.40.

658 Section 4. Paragraph (b) of subsection (2) and subsection
659 (6) of section 1002.20, Florida Statutes, are amended to read:

660 1002.20 K-12 student and parent rights.—Parents of public
661 school students must receive accurate and timely information
662 regarding their child's academic progress and must be informed
663 of ways they can help their child to succeed in school. K-12
664 students and their parents are afforded numerous statutory
665 rights including, but not limited to, the following:

666 (2) ATTENDANCE.—

667 (b) *Regular school attendance.*—Parents of students who have
668 attained the age of 6 years by February 1 of any school year but
669 who have not attained the age of 16 years must comply with the
670 compulsory school attendance laws. Parents have the option to
671 comply with the school attendance laws by attendance of the
672 student in a public school; a private parochial, religious, or
673 denominational school; a private school; or a home education
674 program; ~~or a private tutoring program~~, in accordance with ~~the~~
675 ~~provisions of~~ s. 1003.01(13).

676 (6) EDUCATIONAL CHOICE.—

677 (a) *Public educational school choices.*—Parents of public
678 school students may seek any public educational school choice



679 options that are applicable and available to students throughout
680 the state. These options may include controlled open enrollment,
681 single-gender programs, lab schools, virtual instruction
682 programs, charter schools, charter technical career centers,
683 magnet schools, alternative schools, special programs, auditory-
684 oral education programs, advanced placement, dual enrollment,
685 International Baccalaureate, International General Certificate
686 of Secondary Education (pre-AICE), CAPE digital tools, CAPE
687 industry certifications, collegiate high school programs,
688 Advanced International Certificate of Education, early
689 admissions, credit by examination or demonstration of
690 competency, the New World School of the Arts, the Florida School
691 for the Deaf and the Blind, and the Florida Virtual School.
692 These options may also include the public educational choice
693 options of the Opportunity Scholarship Program and the McKay
694 Scholarships for Students with Disabilities Program.

695 (b) *Private educational choices.*—The parent of a student
696 may choose to enroll the student in a private school, as defined
697 in s. 1002.01(2). Parents of public school students may seek
698 private educational choice options under certain programs.

699 1. Under the McKay Scholarships for Students with
700 Disabilities Program, the parent of a public school student with
701 a disability may request and receive a McKay Scholarship for the
702 student to attend a private school in accordance with s.
703 1002.39.

704 2. Under the Florida Tax Credit Scholarship Program, the
705 parent of a student who qualifies for free or reduced-price
706 school lunch or who is currently placed, or during the previous
707 state fiscal year was placed, in foster care as defined in s.



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708 39.01 may seek a scholarship from an eligible nonprofit
709 scholarship-funding organization in accordance with s. 1002.395.

710 3. Under the Gardiner Scholarship Program ~~Florida Personal~~
711 ~~Learning Scholarship Accounts Program~~, the parent of a student
712 with a qualifying disability may apply for a Gardiner
713 Scholarship ~~personal learning scholarship~~ to be used for
714 individual educational needs in accordance with s. 1002.385.

715 4. Under the Hope Scholarship Program, the parent of a
716 student who was the victim of a substantiated incident of
717 violence or abuse while attending a public school may seek a
718 scholarship for the student to attend a private school in
719 accordance with s. 1002.40.

720 (c) *Home education.*—The parent of a student may choose to
721 place the student in a home education program, as defined in s.
722 1002.01(1), in accordance with ~~the provisions of~~ s. 1002.41.

723 ~~(d) Private tutoring.~~ ~~The parent of a student may choose to~~
724 ~~place the student in a private tutoring program in accordance~~
725 ~~with the provisions of s. 1002.43(1).~~

726 Section 5. Subsection (13) of section 1003.01, Florida
727 Statutes, is amended to read:

728 1003.01 Definitions.—As used in this chapter, the term:

729 (13) “Regular school attendance” means the actual
730 attendance of a student during the school day as defined by law
731 and rules of the State Board of Education. Regular attendance
732 within the intent of s. 1003.21 may be achieved by a student’s
733 full-time attendance in one of the following options:

734 (a) A public school supported by public funds, including,
735 but not limited to, the Florida School for the Deaf and the
736 Blind, the Florida Virtual School, a developmental research



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737 school, and a charter school established pursuant to chapter
738 1002.~~†~~

739 ~~(b) A parochial, religious, or denominational school;~~

740 (b)(e) A private school, as defined in s. 1002.01(2) and in
741 compliance with s. 1002.42, including, but not limited to, a
742 private parochial, religious, or denominational school; and a
743 private school supported in whole or in part by tuition charges
744 or by endowments or gifts. This option includes an eligible
745 private school in which a student attends as a participant in a
746 scholarship program, as defined in s. 1002.01(3).~~†~~

747 (c)(d) A home education program, as defined in s.
748 1002.01(1), which ~~that~~ meets the requirements of chapter 1002.~~†~~
749 ~~or~~

750 ~~(e) A private tutoring program that meets the requirements~~
751 ~~of chapter 1002.~~

752 Section 6. Paragraphs (d) and (h) of subsection (5) and
753 paragraph (a) of subsection (11) of section 1002.385, Florida
754 Statutes, are amended to read:

755 1002.385 The Gardiner Scholarship.—

756 (5) AUTHORIZED USES OF PROGRAM FUNDS.—Program funds must be
757 used to meet the individual educational needs of an eligible
758 student and may be spent for the following purposes:

759 (d) Enrollment in, or tuition or fees associated with
760 enrollment in, a home education program, an eligible private
761 school, an eligible postsecondary educational institution or a
762 program offered by the institution, ~~a private tutoring program~~
763 ~~authorized under s. 1002.43,~~ a virtual program offered by a
764 department-approved private online provider that meets the
765 provider qualifications specified in s. 1002.45(2)(a), the



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766 Florida Virtual School as a private paying student, or an
767 approved online course offered pursuant to s. 1003.499 or s.
768 1004.0961.

769 (h) Tuition and fees for part-time tutoring services
770 provided by a person who holds a valid Florida educator's
771 certificate pursuant to s. 1012.56; a person who holds an
772 adjunct teaching certificate pursuant to s. 1012.57; or a person
773 who has demonstrated a mastery of subject area knowledge
774 pursuant to s. 1012.56(5). As used in this paragraph, the term
775 "part-time tutoring services" does not qualify as regular school
776 attendance as defined in s. 1003.01(13) ~~s. 1003.01(13)(e)~~.

777
778 A provider of any services receiving payments pursuant to this
779 subsection may not share, refund, or rebate any moneys from the
780 Gardiner Scholarship with the parent or participating student in
781 any manner. A parent, student, or provider of any services may
782 not bill an insurance company, Medicaid, or any other agency for
783 the same services that are paid for using Gardiner Scholarship
784 funds.

785 (11) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
786 PARTICIPATION.—A parent who applies for program participation
787 under this section is exercising his or her parental option to
788 determine the appropriate placement or the services that best
789 meet the needs of his or her child. The scholarship award for a
790 student is based on a matrix that assigns the student to support
791 Level III services. If a parent receives an IEP and a matrix of
792 services from the school district pursuant to subsection (7),
793 the amount of the payment shall be adjusted as needed, when the
794 school district completes the matrix.



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795 (a) To satisfy or maintain program eligibility, including
796 eligibility to receive and spend program payments, the parent
797 must sign an agreement with the organization and annually submit
798 a notarized, sworn compliance statement to the organization to:

799 1. Affirm that the student is enrolled in a program that
800 meets regular school attendance requirements as provided in s.
801 1003.01(13)(b) or (c) ~~s. 1003.01(13)(b) - (d)~~.

802 2. Affirm that the program funds are used only for
803 authorized purposes serving the student's educational needs, as
804 described in subsection (5).

805 3. Affirm that the parent is responsible for the education
806 of his or her student by, as applicable:

807 a. Requiring the student to take an assessment in
808 accordance with paragraph (8)(c);

809 b. Providing an annual evaluation in accordance with s.
810 1002.41(1)(c); or

811 c. Requiring the child to take any preassessments and
812 postassessments selected by the provider if the child is 4 years
813 of age and is enrolled in a program provided by an eligible
814 Voluntary Prekindergarten Education Program provider. A student
815 with disabilities for whom a preassessment and postassessment is
816 not appropriate is exempt from this requirement. A participating
817 provider shall report a student's scores to the parent.

818 4. Affirm that the student remains in good standing with
819 the provider or school if those options are selected by the
820 parent.

821
822 A parent who fails to comply with this subsection forfeits the
823 Gardiner Scholarship.



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824 Section 7. Subsection (3) of section 1002.39, Florida
825 Statutes, is amended to read:

826 1002.39 The John M. McKay Scholarships for Students with
827 Disabilities Program.—There is established a program that is
828 separate and distinct from the Opportunity Scholarship Program
829 and is named the John M. McKay Scholarships for Students with
830 Disabilities Program.

831 (3) JOHN M. MCKAY SCHOLARSHIP PROHIBITIONS.—A student is
832 not eligible for a John M. McKay Scholarship:

833 (a) While he or she is enrolled in a school operating for
834 the purpose of providing educational services to youth in
835 Department of Juvenile Justice commitment programs;

836 (b) While he or she is receiving a Florida tax credit
837 scholarship under s. 1002.395;

838 (c) While he or she is receiving an educational scholarship
839 pursuant to this chapter;

840 (d) While he or she is participating in a home education
841 program as defined in s. 1002.01(1);

842 ~~(e) While he or she is participating in a private tutoring~~
843 ~~program pursuant to s. 1002.43;~~

844 (e) ~~(f)~~ While he or she is participating in a virtual
845 school, correspondence school, or distance learning program that
846 receives state funding pursuant to the student's participation
847 unless the participation is limited to no more than two courses
848 per school year;

849 (f) ~~(g)~~ While he or she is enrolled in the Florida School
850 for the Deaf and the Blind;

851 (g) ~~(h)~~ While he or she is not having regular and direct
852 contact with his or her private school teachers at the school's



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853 physical location unless he or she is enrolled in the private
854 school's transition-to-work program pursuant to subsection (10);
855 or

856 (h)~~(i)~~ If he or she has been issued a temporary 504
857 accommodation plan under s. 504 of the Rehabilitation Act of
858 1973 which is valid for 6 months or less.

859 Section 8. Subsection (4) of section 1002.395, Florida
860 Statutes, is amended to read:

861 1002.395 Florida Tax Credit Scholarship Program.—

862 (4) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for
863 a scholarship while he or she is:

864 (a) Enrolled in a school operating for the purpose of
865 providing educational services to youth in Department of
866 Juvenile Justice commitment programs;

867 (b) Receiving a scholarship from another eligible nonprofit
868 scholarship-funding organization under this section;

869 (c) Receiving an educational scholarship pursuant to
870 chapter 1002;

871 (d) Participating in a home education program as defined in
872 s. 1002.01(1);

873 ~~(e) Participating in a private tutoring program pursuant to~~
874 ~~s. 1002.43;~~

875 (e)~~(f)~~ Participating in a virtual school, correspondence
876 school, or distance learning program that receives state funding
877 pursuant to the student's participation unless the participation
878 is limited to no more than two courses per school year; or

879 (f)~~(g)~~ Enrolled in the Florida School for the Deaf and the
880 Blind.

881 Section 9. Paragraph (f) of subsection (1) of section



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882 1003.26, Florida Statutes, is amended to read:

883 1003.26 Enforcement of school attendance.—The Legislature
884 finds that poor academic performance is associated with
885 nonattendance and that school districts must take an active role
886 in promoting and enforcing attendance as a means of improving
887 student performance. It is the policy of the state that each
888 district school superintendent be responsible for enforcing
889 school attendance of all students subject to the compulsory
890 school age in the school district and supporting enforcement of
891 school attendance by local law enforcement agencies. The
892 responsibility includes recommending policies and procedures to
893 the district school board that require public schools to respond
894 in a timely manner to every unexcused absence, and every absence
895 for which the reason is unknown, of students enrolled in the
896 schools. District school board policies shall require the parent
897 of a student to justify each absence of the student, and that
898 justification will be evaluated based on adopted district school
899 board policies that define excused and unexcused absences. The
900 policies must provide that public schools track excused and
901 unexcused absences and contact the home in the case of an
902 unexcused absence from school, or an absence from school for
903 which the reason is unknown, to prevent the development of
904 patterns of nonattendance. The Legislature finds that early
905 intervention in school attendance is the most effective way of
906 producing good attendance habits that will lead to improved
907 student learning and achievement. Each public school shall
908 implement the following steps to promote and enforce regular
909 school attendance:

910 (1) CONTACT, REFER, AND ENFORCE.—



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911 (f)1. If the parent of a child who has been identified as
912 exhibiting a pattern of nonattendance enrolls the child in a
913 home education program pursuant to chapter 1002, the district
914 school superintendent shall provide the parent a copy of s.
915 1002.41 and the accountability requirements of this paragraph.
916 The district school superintendent shall also refer the parent
917 to a home education review committee composed of the district
918 contact for home education programs and at least two home
919 educators selected by the parent from a district list of all
920 home educators who have conducted a home education program for
921 at least 3 years and who have indicated a willingness to serve
922 on the committee. The home education review committee shall
923 review the portfolio of the student, as defined by s. 1002.41,
924 every 30 days during the district's regular school terms until
925 the committee is satisfied that the home education program is in
926 compliance with s. 1002.41(1)(b). The first portfolio review
927 must occur within the first 30 calendar days of the
928 establishment of the program. The provisions of subparagraph 2.
929 do not apply once the committee determines the home education
930 program is in compliance with s. 1002.41(1)(b).

931 2. If the parent fails to provide a portfolio to the
932 committee, the committee shall notify the district school
933 superintendent. The district school superintendent shall then
934 terminate the home education program and require the parent to
935 enroll the child in an attendance option that meets the
936 definition of "regular school attendance" under s.
937 1003.01(13)(a) or (b) ~~s. 1003.01(13)(a), (b), (c), or (e),~~
938 within 3 days. Upon termination of a home education program
939 pursuant to this subparagraph, the parent shall not be eligible



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940 to reenroll the child in a home education program for 180
941 calendar days. Failure of a parent to enroll the child in an
942 attendance option as required by this subparagraph after
943 termination of the home education program pursuant to this
944 subparagraph shall constitute noncompliance with the compulsory
945 attendance requirements of s. 1003.21 and may result in criminal
946 prosecution under s. 1003.27(2). Nothing contained herein shall
947 restrict the ability of the district school superintendent, or
948 the ability of his or her designee, to review the portfolio
949 pursuant to s. 1002.41(1)(b).

950 Section 10. Effective July 1, 2019, chapter 623, Florida
951 Statutes, consisting of sections 623.01, 623.02, 623.03, 623.04,
952 623.05, 623.06, 623.07, 623.08, 623.09, 623.10, 623.11, 623.12,
953 623.13, and 623.14, is repealed.

954 Section 11. Effective July 1, 2019, subsection (13) of
955 section 212.08, Florida Statutes, is amended to read:

956 212.08 Sales, rental, use, consumption, distribution, and
957 storage tax; specified exemptions.—The sale at retail, the
958 rental, the use, the consumption, the distribution, and the
959 storage to be used or consumed in this state of the following
960 are hereby specifically exempt from the tax imposed by this
961 chapter.

962 (13) No transactions shall be exempt from the tax imposed
963 by this chapter except those expressly exempted herein. All laws
964 granting tax exemptions, to the extent they may be inconsistent
965 or in conflict with this chapter, including, but not limited to,
966 the following designated laws, shall yield to and be superseded
967 by the provisions of this subsection: ss. 125.019, 153.76,
968 154.2331, 159.15, 159.31, 159.50, 159.708, 163.385, 163.395,



969 215.76, 243.33, 315.11, 348.65, 348.762, 349.13, 403.1834, and
970 616.07, ~~and 623.09~~, and the following Laws of Florida, acts of
971 the year indicated: s. 31, chapter 30843, 1955; s. 19, chapter
972 30845, 1955; s. 12, chapter 30927, 1955; s. 8, chapter 31179,
973 1955; s. 15, chapter 31263, 1955; s. 13, chapter 31343, 1955; s.
974 16, chapter 59-1653; s. 13, chapter 59-1356; s. 12, chapter 61-
975 2261; s. 19, chapter 61-2754; s. 10, chapter 61-2686; s. 11,
976 chapter 63-1643; s. 11, chapter 65-1274; s. 16, chapter 67-1446;
977 and s. 10, chapter 67-1681. This subsection does not supersede
978 the authority of a local government to adopt financial and local
979 government incentives pursuant to s. 163.2517.

980 Section 12. Section 1002.43, Florida Statutes, is repealed.

981 Section 13. The Department of Revenue may, and all
982 conditions are deemed met to, adopt emergency rules pursuant to
983 ss. 120.536(1) and 120.54, Florida Statutes, to administer ss.
984 1002.40 and 212.1832 which are created by this act.

985 Section 14. Except as otherwise expressly provided in this
986 act, this act shall take effect July 1, 2018.

987
988 ===== T I T L E A M E N D M E N T =====

989 And the title is amended as follows:

990 Delete everything before the enacting clause
991 and insert:

992 An act relating to the Hope Scholarship Program;
993 creating s. 1002.40, F.S.; establishing the Hope
994 Scholarship Program; providing the purpose of the
995 program; defining terms; providing eligibility
996 requirements; prohibiting the payment of a scholarship
997 under certain circumstances; requiring a principal to



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998 provide copies of a report of physical violence or
999 emotional abuse to certain individuals within a
1000 specified timeframe; requiring the principal to
1001 investigate such incidents; requiring a school
1002 district to notify an eligible student's parent of the
1003 program under certain circumstances; requiring a
1004 school district to provide certain information
1005 relating to the statewide assessment program;
1006 providing requirements and obligations for eligible
1007 private schools; providing Department of Education
1008 obligations relating to participating students and
1009 private schools and program requirements; providing
1010 Commissioner of Education obligations; requiring the
1011 commissioner to deny, suspend, or revoke a private
1012 school's participation in the program or the payment
1013 of scholarship funds under certain circumstances;
1014 defining the term "owner or operator"; providing a
1015 process for review of a decision from the commissioner
1016 under certain circumstances; providing for the release
1017 of personally identifiable student information under
1018 certain circumstances; providing parent and student
1019 responsibilities for initial and continued
1020 participation in the program; providing nonprofit
1021 scholarship-funding organization obligations;
1022 providing for the calculation of the scholarship
1023 amount; providing the scholarship amount for students
1024 transferred to certain public schools; requiring
1025 verification of specified information before a
1026 scholarship may be disbursed; providing requirements



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1027 for the scholarship payments; providing funds for
1028 administrative expenses for certain nonprofit
1029 scholarship-funding organizations; providing
1030 requirements for administrative expenses; prohibiting
1031 a nonprofit scholarship-funding organization from
1032 charging an application fee; providing Auditor General
1033 obligations; providing requirements for taxpayer
1034 elections to contribute to the program; requiring the
1035 Department of Revenue to adopt forms to administer the
1036 program; providing requirements for certain agents of
1037 the Department of Revenue and motor vehicle dealers;
1038 providing reporting requirements for nonprofit
1039 scholarship-funding organizations relating to taxpayer
1040 contributions; providing penalties; providing for the
1041 restitution of specified funds under certain
1042 circumstances; providing the state is not liable for
1043 the award or use of program funds; prohibiting
1044 additional regulations for private schools
1045 participating in the program beyond those necessary to
1046 enforce program requirements; requiring the State
1047 Board of Education to adopt rules to administer the
1048 program; creating s. 212.1832, F.S.; authorizing
1049 certain persons to elect to direct certain state sales
1050 and use tax revenue to be transferred to a nonprofit
1051 scholarship-funding organization for the Hope
1052 Scholarship Program; amending s. 1002.01, F.S.;

1053 revising and defining terms; amending s. 1002.20;
1054 updating educational options and terminology; amending
1055 s. 1003.01, F.S.; redefining the term "regular school



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1056 attendance"; amending ss. 1002.385, 1002.39, 1002.395,
1057 and 1003.26, F.S.; conforming cross-references and
1058 provisions to changes made by the act; updating
1059 terminology; repealing ch. 623, F.S., relating to
1060 private school corporations, on a specified date;
1061 amending s. 212.08, F.S.; conforming a cross-
1062 reference; repealing s. 1002.43, F.S., relating to
1063 private tutoring programs; authorizing the Department
1064 of Revenue to adopt emergency rules for specified
1065 purposes; providing effective dates.