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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
02/28/2018	.	
Floor: 1/F/2R	.	
03/02/2018 01:15 PM	.	
	.	

The Committee on Appropriations (Passidomo) recommended the following:

1 **Senate Substitute for Amendment (903516) (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. Section 212.1832, Florida Statutes, is created
7 to read:

8 212.1832 Credit for contributions to the Hope Scholarship
9 Program.—

10 (1) Upon adoption of rules, the purchaser of a motor



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11 vehicle shall be granted a credit of 100 percent of an eligible
12 contribution made to an eligible nonprofit scholarship-funding
13 organization under s. 1002.40 against any tax imposed by the
14 state and collected from the purchaser by a dealer, designated
15 agent, or private tag agent as a result of the purchase or
16 acquisition of a motor vehicle. For purposes of this subsection,
17 the term "purchase" does not include the lease or rental of a
18 motor vehicle.

19 (2) A dealer shall take a credit against any tax imposed by
20 the state under this chapter on the purchase of a motor vehicle
21 in an amount equal to the credit granted to the purchaser under
22 subsection (1).

23 (3) For purposes of the distributions of tax revenue under
24 s. 212.20, the department shall disregard any tax credits
25 allowed under this section to ensure that any reduction in tax
26 revenue received that is attributable to the tax credits results
27 only in a reduction in distributions to the General Revenue
28 Fund. The provisions of s. 1002.40 apply to the credit
29 authorized by this section.

30 Section 2. Subsection (21) is added to section 213.053,
31 Florida Statutes, to read:

32 213.053 Confidentiality and information sharing.—

33 (21) (a) The department may provide to an eligible nonprofit
34 scholarship-funding organization, as defined in s. 1002.40, a
35 dealer's name, address, federal employer identification number,
36 and information related to differences between credits taken by
37 the dealer pursuant to s. 212.1832(2) and amounts remitted to
38 the eligible nonprofit scholarship-funding organization under s.
39 1002.40(13)(b)3. The eligible nonprofit scholarship-funding



40 organization may use the information for purposes of recovering
41 eligible contributions designated for that organization that
42 were collected by the dealer but never remitted to the
43 organization.

44 (b) Nothing in this subsection authorizes the disclosure of
45 information if such disclosure is prohibited by federal law. An
46 eligible nonprofit scholarship-funding organization is bound by
47 the same requirements of confidentiality and the same penalties
48 for a violation of the requirements as the department.

49 Section 3. Effective July 1, 2019, chapter 623, Florida
50 Statutes, consisting of sections 623.01, 623.02, 623.03, 623.04,
51 623.05, 623.06, 623.07, 623.08, 623.09, 623.10, 623.11, 623.12,
52 623.13, and 623.14, is repealed.

53 Section 4. Subsections (4) and (5) of section 1001.10,
54 Florida Statutes, are amended to read:

55 1001.10 Commissioner of Education; general powers and
56 duties.-

57 (4) The Department of Education shall provide technical
58 assistance to school districts, charter schools, the Florida
59 School for the Deaf and the Blind, and private schools that
60 accept scholarship students under s. 1002.385, s. 1002.39, or s.
61 1002.395, or another state scholarship program under chapter
62 1002 in the development of policies, procedures, and training
63 related to employment practices and standards of ethical conduct
64 for instructional personnel and school administrators, as
65 defined in s. 1012.01.

66 (5) The Department of Education shall provide authorized
67 staff of school districts, charter schools, the Florida School
68 for the Deaf and the Blind, and private schools that accept



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69 scholarship students under s. 1002.385, s. 1002.39, or s.
70 1002.395, or another state scholarship program under chapter
71 1002 with access to electronic verification of information from
72 the following employment screening tools:

73 (a) The Professional Practices' Database of Disciplinary
74 Actions Against Educators; and

75 (b) The Department of Education's Teacher Certification
76 Database.

77
78 This subsection does not require the department to provide these
79 staff with unlimited access to the databases. However, the
80 department shall provide the staff with access to the data
81 necessary for performing employment history checks of the
82 instructional personnel and school administrators included in
83 the databases.

84 Section 5. Section 1001.4205, Florida Statutes, is amended
85 to read:

86 1001.4205 Visitation of schools ~~by an individual school~~
87 ~~board or charter school governing board member.~~—An individual
88 member of a district school board may, on any day and at any
89 time at his or her pleasure, visit any district school in his or
90 her school district. An individual member of the State
91 Legislature may, on any day and at any time at his or her
92 pleasure, visit any district school, including any charter
93 school, in his or her legislative district. An individual member
94 of a charter school governing board ~~member~~ may, on any day and
95 at any time at his or her pleasure, visit any charter school
96 governed by the charter school's governing board.

97 (1) The visiting individual ~~board member~~ must sign in and



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98 sign out at the school's main office and wear his or her board
99 or State Legislature identification badge, as applicable, at all
100 times while present on school premises.

101 (2) The board, the school, or any other person or entity,
102 including, but not limited to, the principal of the school, the
103 school superintendent, or any ~~other~~ board member, may not
104 require the visiting individual board member to provide notice
105 before visiting the school.

106 (3) The school may offer, but may not require, an escort to
107 accompany ~~the a~~ visiting individual board member during the
108 visit.

109 (4) A ~~Another~~ board member or a district employee,
110 including, but not limited to, the superintendent, the school
111 principal, or the superintendent's or the principal's ~~his or her~~
112 designee, may not limit the duration or scope of the visit or
113 direct ~~the a~~ visiting individual board member to leave the
114 premises.

115 (5) A board, district, or school administrative policy or
116 practice may not prohibit or limit the authority granted to the
117 visiting individual a board member under this section.

118 Section 6. Section 1002.01, Florida Statutes, is amended to
119 read:

120 1002.01 Definitions.—

121 (1) A "home education program" means the sequentially
122 progressive instruction of a student directed by his or her
123 parent in order to satisfy the attendance requirements of ss.
124 1002.41, 1003.01(13), and 1003.21(1).

125 (2) A "private school" is a nonpublic school that is
126 registered in accordance with s. 1002.42 and is defined as an



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127 individual, association, copartnership, or corporation, or
128 department, division, or section of such organizations, that
129 designates itself as an educational center that includes
130 kindergarten or a higher grade or as an elementary, secondary,
131 business, technical, or trade school below college level or any
132 organization that provides instructional services that meet the
133 intent of s. 1003.01(13) or that gives preemployment or
134 supplementary training in technology or in fields of trade or
135 industry or that offers academic, literary, or career training
136 below college level, or any combination of the above, including
137 an institution that performs the functions of the above schools
138 through correspondence or extension, except those licensed under
139 the provisions of chapter 1005. A private school may be a
140 parochial, religious, denominational, for-profit, or nonprofit
141 school attended by a student in order to satisfy the attendance
142 requirements of s. 1003.01(13). This definition does not include
143 home education programs conducted in accordance with s. 1002.41.

144 (3) For purposes of this chapter, a "scholarship program"
145 means any one of the following:

146 (a) The Opportunity Scholarship Program established
147 pursuant to s. 1002.38.

148 (b) The Gardiner Scholarship Program established pursuant
149 to s. 1002.385.

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

152 (d) The Florida Tax Credit Scholarship Program established
153 pursuant to s. 1002.395.

154 (e) The Hope Scholarship Program established pursuant to s.
155 1002.40.



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156 Section 7. Paragraph (b) of subsection (2) and subsection
157 (6) of section 1002.20, Florida Statutes, are amended to read:

158 1002.20 K-12 student and parent rights.—Parents of public
159 school students must receive accurate and timely information
160 regarding their child’s academic progress and must be informed
161 of ways they can help their child to succeed in school. K-12
162 students and their parents are afforded numerous statutory
163 rights including, but not limited to, the following:

164 (2) ATTENDANCE.—

165 (b) *Regular school attendance.*—Parents of students who have
166 attained the age of 6 years by February 1 of any school year but
167 who have not attained the age of 16 years must comply with the
168 compulsory school attendance laws. Parents have the option to
169 comply with the school attendance laws by attendance of the
170 student in a public school; a private parochial, religious, or
171 denominational school; a private school; or a home education
172 program; ~~or a private tutoring program~~, in accordance with ~~the~~
173 ~~provisions of~~ s. 1003.01(13).

174 (6) EDUCATIONAL CHOICE.—

175 (a) *Public educational school choices.*—Parents of public
176 school students may seek any public educational school choice
177 options that are applicable and available to students throughout
178 the state. These options may include controlled open enrollment,
179 single-gender programs, lab schools, virtual instruction
180 programs, charter schools, charter technical career centers,
181 magnet schools, alternative schools, special programs, auditory-
182 oral education programs, advanced placement, dual enrollment,
183 International Baccalaureate, International General Certificate
184 of Secondary Education (pre-AICE), CAPE digital tools, CAPE



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185 industry certifications, collegiate high school programs,
186 Advanced International Certificate of Education, early
187 admissions, credit by examination or demonstration of
188 competency, the New World School of the Arts, the Florida School
189 for the Deaf and the Blind, and the Florida Virtual School.
190 These options may also include the public educational choice
191 options of the Opportunity Scholarship Program and the McKay
192 Scholarships for Students with Disabilities Program.

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

197 1. Under the McKay Scholarships for Students with
198 Disabilities Program, the parent of a public school student with
199 a disability may request and receive a McKay Scholarship for the
200 student to attend a private school in accordance with s.
201 1002.39.

202 2. Under the Florida Tax Credit Scholarship Program, the
203 parent of a student who qualifies for free or reduced-price
204 school lunch or who is currently placed, or during the previous
205 state fiscal year was placed, in foster care as defined in s.
206 39.01 may seek a scholarship from an eligible nonprofit
207 scholarship-funding organization in accordance with s. 1002.395.

208 3. Under the Gardiner Scholarship Program ~~Florida Personal~~
209 ~~Learning Scholarship Accounts Program~~, the parent of a student
210 with a qualifying disability may apply for a Gardiner
211 Scholarship ~~personal learning scholarship~~ to be used for
212 individual educational needs in accordance with s. 1002.385.

213 4. Under the Hope Scholarship Program, the parent of a



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214 student who was the victim of a substantiated incident of
215 violence or abuse while attending a public school may seek a
216 scholarship for the student to attend a private school in
217 accordance with s. 1002.40.

218 (c) *Home education.*—The parent of a student may choose to
219 place the student in a home education program, as defined in s.
220 1002.01(1), in accordance with ~~the provisions of~~ s. 1002.41.

221 ~~(d) *Private tutoring.*—The parent of a student may choose to~~
222 ~~place the student in a private tutoring program in accordance~~
223 ~~with the provisions of s. 1002.43(1).~~

224 Section 8. Paragraphs (d) through (g) of subsection (8) of
225 section 1002.33, Florida Statutes, are redesignated as
226 paragraphs (c) through (f), respectively, and paragraph (b) of
227 subsection (6), paragraphs (a), (d), and (e) of subsection (7),
228 present paragraphs (a), (b), and (c) of subsection (8),
229 paragraph (n) of subsection (9), and paragraph (b) of subsection
230 (20) of that section are amended, to read:

231 1002.33 Charter schools.—

232 (6) APPLICATION PROCESS AND REVIEW.—Charter school
233 applications are subject to the following requirements:

234 (b) A sponsor shall receive and review all applications for
235 a charter school using the evaluation instrument developed by
236 the Department of Education. A sponsor shall receive and
237 consider charter school applications received on or before
238 August 1 of each calendar year for charter schools to be opened
239 at the beginning of the school district's next school year, or
240 to be opened at a time agreed to by the applicant and the
241 sponsor. A sponsor may not refuse to receive a charter school
242 application submitted before August 1 and may receive an



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243 application submitted later than August 1 if it chooses.
244 Beginning in 2018 and thereafter, a sponsor shall receive and
245 consider charter school applications received on or before
246 February 1 of each calendar year for charter schools to be
247 opened 18 months later at the beginning of the school district's
248 school year, or to be opened at a time agreed to by the
249 applicant and the sponsor. A sponsor may not refuse to receive a
250 charter school application submitted before February 1 and may
251 receive an application submitted later than February 1 if it
252 chooses. A sponsor may not charge an applicant for a charter any
253 fee for the processing or consideration of an application, and a
254 sponsor may not base its consideration or approval of a final
255 application upon the promise of future payment of any kind.
256 Before approving or denying any application, the sponsor shall
257 allow the applicant, upon receipt of written notification, at
258 least 7 calendar days to make technical or nonsubstantive
259 corrections and clarifications, including, but not limited to,
260 corrections of grammatical, typographical, and like errors or
261 missing signatures, if such errors are identified by the sponsor
262 as cause to deny the final application.

263 1. In order to facilitate an accurate budget projection
264 process, a sponsor shall be held harmless for FTE students who
265 are not included in the FTE projection due to approval of
266 charter school applications after the FTE projection deadline.
267 In a further effort to facilitate an accurate budget projection,
268 within 15 calendar days after receipt of a charter school
269 application, a sponsor shall report to the Department of
270 Education the name of the applicant entity, the proposed charter
271 school location, and its projected FTE.



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272 2. In order to ensure fiscal responsibility, an application
273 for a charter school shall include a full accounting of expected
274 assets, a projection of expected sources and amounts of income,
275 including income derived from projected student enrollments and
276 from community support, and an expense projection that includes
277 full accounting of the costs of operation, including start-up
278 costs.

279 3.a. A sponsor shall by a majority vote approve or deny an
280 application no later than 90 calendar days after the application
281 is received, unless the sponsor and the applicant mutually agree
282 in writing to temporarily postpone the vote to a specific date,
283 at which time the sponsor shall by a majority vote approve or
284 deny the application. If the sponsor fails to act on the
285 application, an applicant may appeal to the State Board of
286 Education as provided in paragraph (c). If an application is
287 denied, the sponsor shall, within 10 calendar days after such
288 denial, articulate in writing the specific reasons, based upon
289 good cause, supporting its denial of the application and shall
290 provide the letter of denial and supporting documentation to the
291 applicant and to the Department of Education.

292 b. An application submitted by a high-performing charter
293 school identified pursuant to s. 1002.331 or a high-performing
294 charter school system identified pursuant to s. 1002.332 may be
295 denied by the sponsor only if the sponsor demonstrates by clear
296 and convincing evidence that:

297 (I) The application of a high-performing charter school
298 does not materially comply with the requirements in paragraph
299 (a) or, for a high-performing charter school system, the
300 application does not materially comply with s. 1002.332(2)(b);



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301 (II) The charter school proposed in the application does
302 not materially comply with the requirements in paragraphs
303 (9) (a) - (f);

304 (III) The proposed charter school's educational program
305 does not substantially replicate that of the applicant or one of
306 the applicant's high-performing charter schools;

307 (IV) The applicant has made a material misrepresentation or
308 false statement or concealed an essential or material fact
309 during the application process; or

310 (V) The proposed charter school's educational program and
311 financial management practices do not materially comply with the
312 requirements of this section.

313
314 Material noncompliance is a failure to follow requirements or a
315 violation of prohibitions applicable to charter school
316 applications, which failure is quantitatively or qualitatively
317 significant either individually or when aggregated with other
318 noncompliance. An applicant is considered to be replicating a
319 high-performing charter school if the proposed school is
320 substantially similar to at least one of the applicant's high-
321 performing charter schools and the organization or individuals
322 involved in the establishment and operation of the proposed
323 school are significantly involved in the operation of replicated
324 schools.

325 c. If the sponsor denies an application submitted by a
326 high-performing charter school or a high-performing charter
327 school system, the sponsor must, within 10 calendar days after
328 such denial, state in writing the specific reasons, based upon
329 the criteria in sub-subparagraph b., supporting its denial of



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330 the application and must provide the letter of denial and
331 supporting documentation to the applicant and to the Department
332 of Education. The applicant may appeal the sponsor's denial of
333 the application in accordance with paragraph (c).

334 4. For budget projection purposes, the sponsor shall report
335 to the Department of Education the approval or denial of an
336 application within 10 calendar days after such approval or
337 denial. In the event of approval, the report to the Department
338 of Education shall include the final projected FTE for the
339 approved charter school.

340 5. Upon approval of an application, the initial startup
341 shall commence with the beginning of the public school calendar
342 for the district in which the charter is granted. A charter
343 school may defer the opening of the school's operations for up
344 to 3 ~~2~~ years to provide time for adequate facility planning. The
345 charter school must provide written notice of such intent to the
346 sponsor and the parents of enrolled students at least 30
347 calendar days before the first day of school.

348 (7) CHARTER.—The terms and conditions for the operation of
349 a charter school shall be set forth by the sponsor and the
350 applicant in a written contractual agreement, called a charter.
351 The sponsor and the governing board of the charter school shall
352 use the standard charter contract pursuant to subsection (21),
353 which shall incorporate the approved application and any addenda
354 approved with the application. Any term or condition of a
355 proposed charter contract that differs from the standard charter
356 contract adopted by rule of the State Board of Education shall
357 be presumed a limitation on charter school flexibility. The
358 sponsor may not impose unreasonable rules or regulations that



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359 violate the intent of giving charter schools greater flexibility
360 to meet educational goals. The charter shall be signed by the
361 governing board of the charter school and the sponsor, following
362 a public hearing to ensure community input.

363 (a) The charter shall address and criteria for approval of
364 the charter shall be based on:

365 1. The school's mission, the students to be served, and the
366 ages and grades to be included.

367 2. The focus of the curriculum, the instructional methods
368 to be used, any distinctive instructional techniques to be
369 employed, and identification and acquisition of appropriate
370 technologies needed to improve educational and administrative
371 performance which include a means for promoting safe, ethical,
372 and appropriate uses of technology which comply with legal and
373 professional standards.

374 a. The charter shall ensure that reading is a primary focus
375 of the curriculum and that resources are provided to identify
376 and provide specialized instruction for students who are reading
377 below grade level. The curriculum and instructional strategies
378 for reading must be consistent with the Next Generation Sunshine
379 State Standards and grounded in scientifically based reading
380 research.

381 b. In order to provide students with access to diverse
382 instructional delivery models, to facilitate the integration of
383 technology within traditional classroom instruction, and to
384 provide students with the skills they need to compete in the
385 21st century economy, the Legislature encourages instructional
386 methods for blended learning courses consisting of both
387 traditional classroom and online instructional techniques.



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388 Charter schools may implement blended learning courses which
389 combine traditional classroom instruction and virtual
390 instruction. Students in a blended learning course must be full-
391 time students of the charter school pursuant to s.
392 1011.61(1)(a)1. Instructional personnel certified pursuant to s.
393 1012.55 who provide virtual instruction for blended learning
394 courses may be employees of the charter school or may be under
395 contract to provide instructional services to charter school
396 students. At a minimum, such instructional personnel must hold
397 an active state or school district adjunct certification under
398 s. 1012.57 for the subject area of the blended learning course.
399 The funding and performance accountability requirements for
400 blended learning courses are the same as those for traditional
401 courses.

402 3. The current incoming baseline standard of student
403 academic achievement, the outcomes to be achieved, and the
404 method of measurement that will be used. The criteria listed in
405 this subparagraph shall include a detailed description of:

406 a. How the baseline student academic achievement levels and
407 prior rates of academic progress will be established.

408 b. How these baseline rates will be compared to rates of
409 academic progress achieved by these same students while
410 attending the charter school.

411 c. To the extent possible, how these rates of progress will
412 be evaluated and compared with rates of progress of other
413 closely comparable student populations.

414

415 The district school board is required to provide academic
416 student performance data to charter schools for each of their



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417 students coming from the district school system, as well as
418 rates of academic progress of comparable student populations in
419 the district school system.

420 4. The methods used to identify the educational strengths
421 and needs of students and how well educational goals and
422 performance standards are met by students attending the charter
423 school. The methods shall provide a means for the charter school
424 to ensure accountability to its constituents by analyzing
425 student performance data and by evaluating the effectiveness and
426 efficiency of its major educational programs. Students in
427 charter schools shall, at a minimum, participate in the
428 statewide assessment program created under s. 1008.22.

429 5. In secondary charter schools, a method for determining
430 that a student has satisfied the requirements for graduation in
431 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

432 6. A method for resolving conflicts between the governing
433 board of the charter school and the sponsor.

434 7. The admissions procedures and dismissal procedures,
435 including the school's code of student conduct. Admission or
436 dismissal must not be based on a student's academic performance.

437 8. The ways by which the school will achieve a
438 racial/ethnic balance reflective of the community it serves or
439 within the racial/ethnic range of other public schools in the
440 same school district.

441 9. The financial and administrative management of the
442 school, including a reasonable demonstration of the professional
443 experience or competence of those individuals or organizations
444 applying to operate the charter school or those hired or
445 retained to perform such professional services and the



446 description of clearly delineated responsibilities and the
447 policies and practices needed to effectively manage the charter
448 school. A description of internal audit procedures and
449 establishment of controls to ensure that financial resources are
450 properly managed must be included. Both public sector and
451 private sector professional experience shall be equally valid in
452 such a consideration.

453 10. The asset and liability projections required in the
454 application which are incorporated into the charter and shall be
455 compared with information provided in the annual report of the
456 charter school.

457 11. A description of procedures that identify various risks
458 and provide for a comprehensive approach to reduce the impact of
459 losses; plans to ensure the safety and security of students and
460 staff; plans to identify, minimize, and protect others from
461 violent or disruptive student behavior; and the manner in which
462 the school will be insured, including whether or not the school
463 will be required to have liability insurance, and, if so, the
464 terms and conditions thereof and the amounts of coverage.

465 12. The term of the charter which shall provide for
466 cancellation of the charter if insufficient progress has been
467 made in attaining the student achievement objectives of the
468 charter and if it is not likely that such objectives can be
469 achieved before expiration of the charter. The initial term of a
470 charter shall be for ~~4~~ 5 years, excluding 1 planning year. In
471 order to facilitate access to long-term financial resources for
472 charter school construction, charter schools that are operated
473 by a municipality or other public entity as provided by law are
474 eligible for up to a 15-year charter, subject to approval by the



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475 district school board. A charter lab school is eligible for a
476 charter for a term of up to 15 years. In addition, to facilitate
477 access to long-term financial resources for charter school
478 construction, charter schools that are operated by a private,
479 not-for-profit, s. 501(c)(3) status corporation are eligible for
480 up to a 15-year charter, subject to approval by the district
481 school board. Such long-term charters remain subject to annual
482 review and may be terminated during the term of the charter, but
483 only according to the provisions set forth in subsection (8).

484 13. The facilities to be used and their location. The
485 sponsor may not require a charter school to have a certificate
486 of occupancy or a temporary certificate of occupancy for such a
487 facility earlier than 15 calendar days before the first day of
488 school.

489 14. The qualifications to be required of the teachers and
490 the potential strategies used to recruit, hire, train, and
491 retain qualified staff to achieve best value.

492 15. The governance structure of the school, including the
493 status of the charter school as a public or private employer as
494 required in paragraph (12)(i).

495 16. A timetable for implementing the charter which
496 addresses the implementation of each element thereof and the
497 date by which the charter shall be awarded in order to meet this
498 timetable.

499 17. In the case of an existing public school that is being
500 converted to charter status, alternative arrangements for
501 current students who choose not to attend the charter school and
502 for current teachers who choose not to teach in the charter
503 school after conversion in accordance with the existing



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504 collective bargaining agreement or district school board rule in
505 the absence of a collective bargaining agreement. However,
506 alternative arrangements shall not be required for current
507 teachers who choose not to teach in a charter lab school, except
508 as authorized by the employment policies of the state university
509 which grants the charter to the lab school.

510 18. Full disclosure of the identity of all relatives
511 employed by the charter school who are related to the charter
512 school owner, president, chairperson of the governing board of
513 directors, superintendent, governing board member, principal,
514 assistant principal, or any other person employed by the charter
515 school who has equivalent decisionmaking authority. For the
516 purpose of this subparagraph, the term "relative" means father,
517 mother, son, daughter, brother, sister, uncle, aunt, first
518 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
519 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
520 stepfather, stepmother, stepson, stepdaughter, stepbrother,
521 stepsister, half brother, or half sister.

522 19. Implementation of the activities authorized under s.
523 1002.331 by the charter school when it satisfies the eligibility
524 requirements for a high-performing charter school. A high-
525 performing charter school shall notify its sponsor in writing by
526 March 1 if it intends to increase enrollment or expand grade
527 levels the following school year. The written notice shall
528 specify the amount of the enrollment increase and the grade
529 levels that will be added, as applicable.

530 (d) A charter may be modified during its initial term or
531 any renewal term upon the recommendation of the sponsor or the
532 charter school's governing board and the approval of both



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533 parties to the agreement. Modification during any term may
534 include, but is not limited to, consolidation of multiple
535 charters into a single charter if the charters are operated
536 under the same governing board ~~and physically located on the~~
537 ~~same campus~~, regardless of the renewal cycle. A charter school
538 with a grade of "C" or higher that closes as part of a
539 consolidation shall be reported by the school district as a
540 consolidation.

541 (e) A charter may be terminated by a charter school's
542 governing board through voluntary closure. The decision to cease
543 operations must be determined at a public meeting. The governing
544 board shall notify the parents and sponsor of the public meeting
545 in writing before the public meeting. The governing board must
546 notify the sponsor, parents of enrolled students, and the
547 department in writing within 24 hours after the public meeting
548 of its determination. The notice shall state the charter
549 school's intent to continue operations or the reason for the
550 closure and acknowledge that the governing board agrees to
551 follow the procedures for dissolution and reversion of public
552 funds pursuant to paragraphs (8) (d)-(f) and (9) (o) ~~paragraphs~~
553 ~~(8) (e)-(g) and (9) (e).~~

554 (8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.—

555 (a) The sponsor shall make student academic achievement for
556 all students the most important factor when determining whether
557 to renew or terminate the charter. The sponsor may also choose
558 not to renew or may terminate the charter if the sponsor finds
559 that one of the grounds set forth below exists by clear and
560 convincing evidence ~~for any of the following grounds:~~

561 1. Failure to participate in the state's education



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562 accountability system created in s. 1008.31, as required in this
563 section, or failure to meet the requirements for student
564 performance stated in the charter.

565 2. Failure to meet generally accepted standards of fiscal
566 management.

567 3. Material violation of law.

568 4. Other good cause shown.

569 (b) At least 90 days before renewing, nonrenewing, or
570 terminating a charter, the sponsor shall notify the governing
571 board of the school of the proposed action in writing. The
572 notice shall state in reasonable detail the grounds for the
573 proposed action and stipulate that the school's governing board
574 may, within 14 calendar days after receiving the notice, request
575 a hearing. The hearing shall be conducted ~~at the sponsor's~~
576 ~~election in accordance with one of the following procedures:~~

577 1. ~~A direct hearing conducted by the sponsor within 60 days~~
578 ~~after receipt of the request for a hearing. The hearing shall be~~
579 ~~conducted in accordance with ss. 120.569 and 120.57. The sponsor~~
580 ~~shall decide upon nonrenewal or termination by a majority vote.~~
581 ~~The sponsor's decision shall be a final order; or~~

582 2. ~~A hearing conducted by an administrative law judge~~
583 ~~assigned by the Division of Administrative Hearings. The hearing~~
584 ~~shall be conducted within 90 60 days after receipt of the~~
585 ~~request for a hearing and in accordance with chapter 120. The~~
586 ~~administrative law judge's final recommended order shall be~~
587 ~~submitted to the sponsor. The administrative law judge shall~~
588 ~~award the prevailing party reasonable attorney fees and costs~~
589 ~~incurred during the administrative proceeding and any appeals A~~
590 ~~majority vote by the sponsor shall be required to adopt or~~



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591 ~~modify the administrative law judge's recommended order. The~~
592 ~~sponsor shall issue a final order.~~

593 ~~(c) The final order shall state the specific reasons for~~
594 ~~the sponsor's decision. The sponsor shall provide its final~~
595 ~~order to the charter school's governing board and the Department~~
596 ~~of Education no later than 10 calendar days after its issuance.~~
597 The charter school's governing board may, within 30 calendar
598 days after receiving the ~~sponsor's~~ final order, appeal the
599 decision pursuant to s. 120.68.

600 (9) CHARTER SCHOOL REQUIREMENTS.—

601 (n)1. The director and a representative of the governing
602 board of a charter school that has earned a grade of "D" or "F"
603 pursuant to s. 1008.34 shall appear before the sponsor to
604 present information concerning each contract component having
605 noted deficiencies. The director and a representative of the
606 governing board shall submit to the sponsor for approval a
607 school improvement plan to raise student performance. Upon
608 approval by the sponsor, the charter school shall begin
609 implementation of the school improvement plan. The department
610 shall offer technical assistance and training to the charter
611 school and its governing board and establish guidelines for
612 developing, submitting, and approving such plans.

613 2.a. If a charter school earns three consecutive grades
614 below a "C," the charter school governing board shall choose one
615 of the following corrective actions:

616 (I) Contract for educational services to be provided
617 directly to students, instructional personnel, and school
618 administrators, as prescribed in state board rule;

619 (II) Contract with an outside entity that has a



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620 demonstrated record of effectiveness to operate the school;

621 (III) Reorganize the school under a new director or
622 principal who is authorized to hire new staff; or

623 (IV) Voluntarily close the charter school.

624 b. The charter school must implement the corrective action
625 in the school year following receipt of a third consecutive
626 grade below a "C."

627 c. The sponsor may annually waive a corrective action if it
628 determines that the charter school is likely to improve a letter
629 grade if additional time is provided to implement the
630 intervention and support strategies prescribed by the school
631 improvement plan. Notwithstanding this sub-subparagraph, a
632 charter school that earns a second consecutive grade of "F" is
633 subject to subparagraph 3.

634 d. A charter school is no longer required to implement a
635 corrective action if it improves to a "C" or higher. However,
636 the charter school must continue to implement strategies
637 identified in the school improvement plan. The sponsor must
638 annually review implementation of the school improvement plan to
639 monitor the school's continued improvement pursuant to
640 subparagraph 4.

641 e. A charter school implementing a corrective action that
642 does not improve to a "C" or higher after 2 full school years of
643 implementing the corrective action must select a different
644 corrective action. Implementation of the new corrective action
645 must begin in the school year following the implementation
646 period of the existing corrective action, unless the sponsor
647 determines that the charter school is likely to improve to a "C"
648 or higher if additional time is provided to implement the



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649 existing corrective action. Notwithstanding this sub-
650 subparagraph, a charter school that earns a second consecutive
651 grade of "F" while implementing a corrective action is subject
652 to subparagraph 3.

653 3. A charter school's charter contract is automatically
654 terminated if the school earns two consecutive grades of "F"
655 after all school grade appeals are final unless:

656 a. The charter school is established to turn around the
657 performance of a district public school pursuant to s.
658 1008.33(4)(b)2. Such charter schools shall be governed by s.
659 1008.33;

660 b. The charter school serves a student population the
661 majority of which resides in a school zone served by a district
662 public school subject to s. 1008.33(4) and the charter school
663 earns at least a grade of "D" in its third year of operation.
664 The exception provided under this sub-subparagraph does not
665 apply to a charter school in its fourth year of operation and
666 thereafter; or

667 c. The state board grants the charter school a waiver of
668 termination. The charter school must request the waiver within
669 15 days after the department's official release of school
670 grades. The state board may waive termination if the charter
671 school demonstrates that the Learning Gains of its students on
672 statewide assessments are comparable to or better than the
673 Learning Gains of similarly situated students enrolled in nearby
674 district public schools. The waiver is valid for 1 year and may
675 only be granted once. Charter schools that have been in
676 operation for more than 5 years are not eligible for a waiver
677 under this sub-subparagraph.



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678
679 The sponsor shall notify the charter school's governing board,
680 the charter school principal, and the department in writing when
681 a charter contract is terminated under this subparagraph. ~~The~~
682 ~~letter of termination must meet the requirements of paragraph~~
683 ~~(8)(e).~~ A charter terminated under this subparagraph must follow
684 the procedures for dissolution and reversion of public funds
685 pursuant to paragraphs (8)(d)-(f) and (9)(o) ~~paragraphs (8)(e)-~~
686 ~~(g) and (9)(o).~~

687 4. The director and a representative of the governing board
688 of a graded charter school that has implemented a school
689 improvement plan under this paragraph shall appear before the
690 sponsor at least once a year to present information regarding
691 the progress of intervention and support strategies implemented
692 by the school pursuant to the school improvement plan and
693 corrective actions, if applicable. The sponsor shall communicate
694 at the meeting, and in writing to the director, the services
695 provided to the school to help the school address its
696 deficiencies.

697 5. Notwithstanding any provision of this paragraph except
698 sub-subparagraphs 3.a.-c., the sponsor may terminate the charter
699 at any time pursuant to subsection (8).

700 (20) SERVICES.—

701 (b) If goods and services are made available to the charter
702 school through the contract with the school district, they shall
703 be provided to the charter school at a rate no greater than the
704 district's actual cost unless mutually agreed upon by the
705 charter school and the sponsor in a contract negotiated
706 separately from the charter. When mediation has failed to



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707 resolve disputes over contracted services or contractual matters
708 not included in the charter, an appeal may be made to an
709 administrative law judge appointed by the Division of
710 Administrative Hearings. The administrative law judge has final
711 order authority to rule on the dispute. The administrative law
712 judge shall award the prevailing party reasonable attorney fees
713 and costs incurred during the mediation process, administrative
714 proceeding, and any appeals, to be paid by the party whom the
715 administrative law judge rules against ~~for a dispute resolution~~
716 ~~hearing before the Charter School Appeal Commission.~~ To maximize
717 the use of state funds, school districts shall allow charter
718 schools to participate in the sponsor's bulk purchasing program
719 if applicable.

720 Section 9. Subsection (1), paragraph (a) of subsection (2),
721 and paragraph (b) of subsection (3) of section 1002.331, Florida
722 Statutes, are amended to read:

723 1002.331 High-performing charter schools.—

724 (1) A charter school is a high-performing charter school if
725 it:

726 (a) Received at least two school grades of "A" and no
727 school grade below "B," pursuant to s. 1008.34, during each of
728 the previous 3 school years or received at least two consecutive
729 school grades of "A" in the most recent 2 school years.

730 (b) Received an unqualified opinion on each annual
731 financial audit required under s. 218.39 in the most recent 3
732 fiscal years for which such audits are available.

733 (c) Did not receive a financial audit that revealed one or
734 more of the financial emergency conditions set forth in s.
735 218.503(1) in the most recent 3 fiscal years for which such



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736 audits are available. However, this requirement is deemed met
737 for a charter school-in-the-workplace if there is a finding in
738 an audit that the school has the monetary resources available to
739 cover any reported deficiency or that the deficiency does not
740 result in a deteriorating financial condition pursuant to s.
741 1002.345(1)(a)3.

742
743 For purposes of determining initial eligibility, the
744 requirements of paragraphs (b) and (c) only apply to the most
745 recent 2 fiscal years if the charter school earns two
746 consecutive grades of "A." A virtual charter school established
747 under s. 1002.33 is not eligible for designation as a high-
748 performing charter school.

749 (2) A high-performing charter school is authorized to:

750 (a) Increase its student enrollment once per school year to
751 more than the capacity identified in the charter, but student
752 enrollment may not exceed the ~~current facility~~ capacity of the
753 facility at the time of enrollment. Facility capacity for
754 purposes of grade level expansion shall include any improvements
755 to an existing facility or any new facility in which a majority
756 of the students of the high-performing charter school will
757 enroll.

758
759 A high-performing charter school shall notify its sponsor in
760 writing by March 1 if it intends to increase enrollment or
761 expand grade levels the following school year. The written
762 notice shall specify the amount of the enrollment increase and
763 the grade levels that will be added, as applicable. If a charter
764 school notifies the sponsor of its intent to expand, the sponsor



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765 shall modify the charter within 90 days to include the new
766 enrollment maximum and may not make any other changes. The
767 sponsor may deny a request to increase the enrollment of a high-
768 performing charter school if the commissioner has declassified
769 the charter school as high-performing. If a high-performing
770 charter school requests to consolidate multiple charters, the
771 sponsor shall have 40 days after receipt of that request to
772 provide an initial draft charter to the charter school. The
773 sponsor and charter school shall have 50 days thereafter to
774 negotiate and notice the charter contract for final approval by
775 the sponsor.

776 (3)

777 (b) A high-performing charter school may not establish more
778 than two ~~one~~ charter schools ~~school~~ within the state under
779 paragraph (a) in any year. A subsequent application to establish
780 a charter school under paragraph (a) may not be submitted unless
781 each charter school established in this manner achieves high-
782 performing charter school status. However, a high-performing
783 charter school may establish more than one charter school within
784 the state under paragraph (a) in any year if it operates in the
785 area of a persistently low-performing school and serves students
786 from that school.

787 Section 10. Present subsections (11) and (12) of section
788 1002.333, Florida Statutes, are redesignated as subsections (12)
789 and (13), respectively, a new subsection (11) is added to that
790 section, and subsections (1) and (2), paragraph (a) of
791 subsection (4), paragraphs (b), (g), and (i) of subsection (5),
792 paragraph (a) of subsection (7), subsection (9), and paragraphs
793 (b) and (d) of subsection (10) of that section are amended, to



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794 read:

795 1002.333 Persistently low-performing schools.—

796 (1) DEFINITIONS.—As used in this section, the term:

797 (a) "Hope operator" means an entity identified by the
798 department pursuant to subsection (2).

799 (b) "Persistently low-performing school" means a school
800 that has completed 2 school years of a district-managed
801 turnaround plan required under s. 1008.33(4) (a) and has not
802 improved its school grade to a "C" or higher, earned three
803 consecutive grades lower than a "C," pursuant to s. 1008.34, and
804 a school that was closed pursuant to s. 1008.33(4) within 2
805 years after the submission of a notice of intent.

806 (c) "School of hope" means:

807 1. A charter school operated by a hope operator which
808 serves students from one or more persistently low-performing
809 schools~~+~~ is located in the attendance zone of a persistently
810 low-performing school ~~or within a 5-mile radius of such school,~~
811 ~~whichever is greater;~~ and is a Title I eligible school; or

812 2. A school operated by a hope operator pursuant to s.
813 1008.33(4) (b) 3.b. ~~s. 1008.33(4) (b) 3.~~

814 (2) HOPE OPERATOR.—A hope operator is a nonprofit
815 organization with tax exempt status under s. 501(c) (3) of the
816 Internal Revenue Code which ~~that~~ operates three or more charter
817 schools that serve students in grades K-12 in Florida or other
818 states with a record of serving students from low-income
819 families and is designated by the State Board of Education as a
820 hope operator based on a determination that:

821 (a) The past performance of the hope operator meets or
822 exceeds the following criteria:



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823 1. The achievement of enrolled students exceeds the
824 district and state averages of the states in which the
825 operator's schools operate;

826 2. The average college attendance rate at all schools
827 currently operated by the operator exceeds 80 percent, if such
828 data is available;

829 3. The percentage of students eligible for a free or
830 reduced price lunch under the National School Lunch Act enrolled
831 at all schools currently operated by the operator exceeds 70
832 percent;

833 4. The operator is in good standing with the authorizer in
834 each state in which it operates;

835 5. The audited financial statements of the operator are
836 free of material misstatements and going concern issues; and

837 6. Other outcome measures as determined by the State Board
838 of Education;

839 (b) The operator was awarded a United States Department of
840 Education Charter School Program Grant for Replication and
841 Expansion of High-Quality Charter Schools within the preceding 3
842 years before applying to be a hope operator;

843 (c) The operator receives funding through the National Fund
844 of the Charter School Growth Fund to accelerate the growth of
845 the nation's best charter schools; or

846 (d) The operator is selected by a district school board in
847 accordance with s. 1008.33.

848

849 An entity that meets the requirements of paragraph (b),
850 paragraph (c), or paragraph (d) before the adoption by the state
851 board of measurable criteria pursuant to paragraph (a) shall be



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852 designated as a hope operator. After the adoption of the
853 measurable criteria, an entity, including a governing board that
854 operates a school established pursuant to s. 1008.33(4)(b)3.b.
855 ~~s. 1008.33(4)(b)3.~~, shall be designated as a hope operator if it
856 meets the criteria of paragraph (a).

857 (4) ESTABLISHMENT OF SCHOOLS OF HOPE.—A hope operator
858 seeking to open a school of hope must submit a notice of intent
859 to the school district in which a persistently low-performing
860 school has been identified by the State Board of Education
861 pursuant to subsection (10).

862 (a) The notice of intent must include all of the following:

863 1. An academic focus and plan.

864 2. A financial plan.

865 3. Goals and objectives for increasing student achievement
866 for the students from low-income families.

867 4. A completed or planned community outreach plan.

868 5. The organizational history of success in working with
869 students with similar demographics.

870 6. The grade levels to be served and enrollment
871 projections.

872 7. The specific proposed location or geographic area
873 proposed for the school and its proximity to the persistently
874 low-performing school or the plan to use the district-owned
875 facilities of the persistently low-performing school.

876 8. A staffing plan.

877 9. An operations plan specifying the operator's intent to
878 undertake the operations of the persistently low-performing
879 school in its entirety or through limited components of the
880 operations.



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881 (5) PERFORMANCE-BASED AGREEMENT.—The following shall
882 comprise the entirety of the performance-based agreement:

883 ~~(b) The location or geographic area proposed for the school~~
884 ~~of hope and its proximity to the persistently low performing~~
885 ~~school.~~

886 ~~(f)~~~~(g)~~ The grounds for termination, including failure to
887 meet the requirements for student performance established
888 pursuant to paragraph (d) ~~(e)~~, generally accepted standards of
889 fiscal management, or material violation of terms of the
890 agreement. The nonrenewal or termination of a performance-based
891 agreement must comply with the requirements of s. 1002.33(8).

892 ~~(h)~~~~(i)~~ A provision establishing the initial term as 5
893 years. The agreement must ~~shall~~ be renewed, upon the request of
894 the hope operator, unless the school fails to meet the
895 requirements for student performance established pursuant to
896 paragraph (d) ~~(e)~~ or generally accepted standards of fiscal
897 management or the school of hope materially violates the law or
898 the terms of the agreement.

899 (7) FACILITIES.—

900 (a)1. A school of hope that meets the definition under
901 subparagraph (1)(c)1. shall use facilities that comply with the
902 Florida Building Code, except for the State Requirements for
903 Educational Facilities. ~~A school of hope that uses school~~
904 ~~district facilities must comply with the State Requirements for~~
905 ~~Educational Facilities only if the school district and the hope~~
906 ~~operator have entered into a mutual management plan for the~~
907 ~~reasonable maintenance of such facilities. The mutual management~~
908 ~~plan shall contain a provision by which the district school~~
909 ~~board agrees to maintain the school facilities in the same~~



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910 ~~manner as its other public schools within the district.~~
911 2. A school of hope that meets the definition under
912 subparagraph (1)(c)2. and that receives funds from the hope
913 supplemental services allocation under s. 1011.62(16) shall use
914 the district-owned facilities of the persistently low-performing
915 school that the school of hope operates. A school of hope that
916 uses district-owned facilities must enter into a mutual
917 management plan with the school district for the reasonable
918 maintenance of the facilities. The mutual management plan must
919 contain a provision specifying that the district school board
920 agrees to maintain the school facilities in the same manner as
921 other public schools within the district.
922
923 The local governing authority shall not adopt or impose any
924 local building requirements or site-development restrictions,
925 such as parking and site-size criteria, student enrollment, and
926 occupant load, that are addressed by and more stringent than
927 those found in the State Requirements for Educational Facilities
928 of the Florida Building Code. A local governing authority must
929 treat schools of hope equitably in comparison to similar
930 requirements, restrictions, and site planning processes imposed
931 upon public schools. The agency having jurisdiction for
932 inspection of a facility and issuance of a certificate of
933 occupancy or use shall be the local municipality or, if in an
934 unincorporated area, the county governing authority. If an
935 official or employee of the local governing authority refuses to
936 comply with this paragraph, the aggrieved school or entity has
937 an immediate right to bring an action in circuit court to
938 enforce its rights by injunction. An aggrieved party that



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939 receives injunctive relief may be awarded reasonable attorney
940 fees and court costs.

941 (9) FUNDING.—

942 (a) Schools of hope shall be funded in accordance with s.
943 1002.33(17).

944 (b) Schools of hope shall receive priority in the
945 department's Public Charter School Grant Program competitions.

946 (c) Schools of hope shall be considered charter schools for
947 purposes of s. 1013.62, except charter capital outlay may not be
948 used to purchase real property or for the construction of school
949 facilities.

950 (d) Schools of hope that meet the definition under
951 subparagraph (1)(c)1. are eligible to receive funds from the
952 Schools of Hope Program.

953 (e) Schools of hope that meet the definition under
954 subparagraph (1)(c)2. are eligible to receive funds from the
955 hope supplemental services allocation established under s.
956 1011.62(16).

957 (10) SCHOOLS OF HOPE PROGRAM.—The Schools of Hope Program
958 is created within the Department of Education.

959 (b) A traditional public school that is required to submit
960 a plan for implementation pursuant to s. 1008.33(4) is eligible
961 to receive funding for services authorized up to \$2,000 per
962 full-time equivalent student from the hope supplemental services
963 allocation established under s. 1011.62(16) ~~Schools of Hope~~
964 ~~Program based upon the strength of the school's plan for~~
965 ~~implementation and its focus on evidence-based interventions~~
966 ~~that lead to student success by providing wrap-around services~~
967 ~~that leverage community assets, improve school and community~~



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968 ~~collaboration, and develop family and community partnerships.~~
969 ~~Wrap-around services include, but are not limited to, tutorial~~
970 ~~and after school programs, student counseling, nutrition~~
971 ~~education, parental counseling, and adult education. Plans for~~
972 ~~implementation may also include models that develop a culture of~~
973 ~~attending college, high academic expectations, character~~
974 ~~development, dress codes, and an extended school day and school~~
975 ~~year. At a minimum, a plan for implementation must:~~

976 ~~1. Establish wrap-around services that develop family and~~
977 ~~community partnerships.~~

978 ~~2. Establish clearly defined and measurable high academic~~
979 ~~and character standards.~~

980 ~~3. Increase parental involvement and engagement in the~~
981 ~~child's education.~~

982 ~~4. Describe how the school district will identify, recruit,~~
983 ~~retain, and reward instructional personnel. The state board may~~
984 ~~waive the requirements of s. 1012.22(1)(c)5., and suspend the~~
985 ~~requirements of s. 1012.34, to facilitate implementation of the~~
986 ~~plan.~~

987 ~~5. Identify a knowledge-rich curriculum that the school~~
988 ~~will use that focuses on developing a student's background~~
989 ~~knowledge.~~

990 ~~6. Provide professional development that focuses on~~
991 ~~academic rigor, direct instruction, and creating high academic~~
992 ~~and character standards.~~

993 (d) Notwithstanding s. 216.301 and pursuant to s. 216.351,
994 funds allocated for the purpose of this subsection which are not
995 disbursed by June 30 of the fiscal year in which the funds are
996 allocated may be carried forward for up to 5 years after the



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997 effective date of the original appropriation.

998 (11) SCHOOLS OF HOPE MANAGEMENT.—A hope operator or the
999 owner of a school of hope may not serve as the principal of any
1000 school that he or she manages.

1001 Section 11. Section 1002.334, Florida Statutes, is created
1002 to read:

1003 1002.334 Franchise model schools.—

1004 (1) As used in this section, the term “franchise model
1005 school” means a persistently low-performing school, as defined
1006 in s. 1002.333(1) (b), which is led by a highly effective
1007 principal in addition to the principal’s currently assigned
1008 school. If a franchise model school achieves a grade of “C” or
1009 higher, the school may retain its status as a franchise model
1010 school at the discretion of the school district.

1011 (2) A school district that has one or more persistently
1012 low-performing schools may use a franchise model school as a
1013 school turnaround option pursuant to s. 1008.33(4) (b) 4.

1014 (3) A franchise model school principal:

1015 (a) Must be rated as highly effective pursuant to s.
1016 1012.34;

1017 (b) May lead two or more schools, including a persistently
1018 low-performing school or a school that was considered a
1019 persistently low-performing school before becoming a franchise
1020 model school;

1021 (c) May allocate resources and personnel between the
1022 schools under his or her administration; however, he or she must
1023 expend hope supplemental services allocation funds, authorized
1024 under s. 1011.62(16), at the franchise model school; and

1025 (d) Is eligible to receive a Best and Brightest Principal



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1026 award under s. 1012.732.

1027 Section 12. Present paragraph (c) of subsection (9) of
1028 section 1002.37, Florida Statutes, is amended, and a new
1029 paragraph (c) is added to that subsection, to read:

1030 1002.37 The Florida Virtual School.—

1031 (9)

1032 (c) Industry certification examinations, national
1033 assessments, and statewide assessments offered by the school
1034 district must be available to all Florida Virtual School
1035 students.

1036 (d)~~(e)~~ Unless an alternative testing site is mutually
1037 agreed to by the Florida Virtual School and the school district
1038 or as contracted under s. 1008.24, all industry certification
1039 examinations, national assessments, and statewide assessments
1040 must be taken at the school to which the student would be
1041 assigned according to district school board attendance areas. A
1042 school district must provide the student with access to the
1043 school's testing facilities and the date and time of the
1044 administration of each examination or assessment.

1045 Section 13. Paragraph (d) of subsection (2), paragraphs (d)
1046 and (h) of subsection (5), subsection (8), and paragraph (a) of
1047 subsection (11) of section 1002.385, Florida Statutes, are
1048 amended to read:

1049 1002.385 The Gardiner Scholarship.—

1050 (2) DEFINITIONS.—As used in this section, the term:

1051 (d) "Disability" means, for a 3- or 4-year-old child or for
1052 a student in kindergarten to grade 12, autism spectrum disorder,
1053 as defined in the Diagnostic and Statistical Manual of Mental
1054 Disorders, Fifth Edition, published by the American Psychiatric



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1055 Association; cerebral palsy, as defined in s. 393.063(6); Down
1056 syndrome, as defined in s. 393.063(15); an intellectual
1057 disability, as defined in s. 393.063(24); Phelan-McDermid
1058 syndrome, as defined in s. 393.063(28); Prader-Willi syndrome,
1059 as defined in s. 393.063(29); spina bifida, as defined in s.
1060 393.063(40); being a high-risk child, as defined in s.
1061 393.063(23) (a); muscular dystrophy; Williams syndrome; a rare
1062 disease, a disorder that affects ~~diseases which affect~~ patient
1063 populations of ~~fewer than~~ 200,000 individuals or fewer in the
1064 United States, as defined by the Orphan Drug Act of 1983, Pub.
1065 L. No. 97-414 ~~National Organization for Rare Disorders~~;
1066 anaphylaxis; deaf; visually impaired; traumatic brain injured;
1067 hospital or homebound; or identification as dual sensory
1068 impaired, as defined by rules of the State Board of Education
1069 and evidenced by reports from local school districts. The term
1070 "hospital or homebound" includes a student who has a medically
1071 diagnosed physical or psychiatric condition or illness, as
1072 defined by the state board in rule, and who is confined to the
1073 home or hospital for more than 6 months.

1074 (5) AUTHORIZED USES OF PROGRAM FUNDS.—Program funds must be
1075 used to meet the individual educational needs of an eligible
1076 student and may be spent for the following purposes:

1077 (d) Enrollment in, or tuition or fees associated with
1078 enrollment in, a home education program, an eligible private
1079 school, an eligible postsecondary educational institution or a
1080 program offered by the institution, ~~a private tutoring program~~
1081 ~~authorized under s. 1002.43~~, a virtual program offered by a
1082 department-approved private online provider that meets the
1083 provider qualifications specified in s. 1002.45(2) (a), the



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1084 Florida Virtual School as a private paying student, or an
1085 approved online course offered pursuant to s. 1003.499 or s.
1086 1004.0961.

1087 (h) Tuition and fees for part-time tutoring services
1088 provided by a person who holds a valid Florida educator's
1089 certificate pursuant to s. 1012.56; a person who holds an
1090 adjunct teaching certificate pursuant to s. 1012.57; or a person
1091 who has demonstrated a mastery of subject area knowledge
1092 pursuant to s. 1012.56(5). As used in this paragraph, the term
1093 "part-time tutoring services" does not qualify as regular school
1094 attendance as defined in s. 1003.01(13) ~~s. 1003.01(13)(e)~~.

1095
1096 A provider of any services receiving payments pursuant to this
1097 subsection may not share, refund, or rebate any moneys from the
1098 Gardiner Scholarship with the parent or participating student in
1099 any manner. A parent, student, or provider of any services may
1100 not bill an insurance company, Medicaid, or any other agency for
1101 the same services that are paid for using Gardiner Scholarship
1102 funds.

1103 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible
1104 private school may be sectarian or nonsectarian and shall:

1105 (a) Comply with all requirements for private schools
1106 participating in state school choice scholarship programs
1107 pursuant to s. 1002.421.

1108 (b) Provide to the organization, upon request, all
1109 documentation required for the student's participation,
1110 including the private school's and student's fee schedules.

1111 (c) Be academically accountable to the parent for meeting
1112 the educational needs of the student by:



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1113 1. At a minimum, annually providing to the parent a written
1114 explanation of the student's progress.

1115 2. Annually administering or making provision for students
1116 participating in the program in grades 3 through 10 to take one
1117 of the nationally norm-referenced tests identified by the
1118 Department of Education or the statewide assessments pursuant to
1119 s. 1008.22. Students with disabilities for whom standardized
1120 testing is not appropriate are exempt from this requirement. A
1121 participating private school shall report a student's scores to
1122 the parent.

1123 3. Cooperating with the scholarship student whose parent
1124 chooses to have the student participate in the statewide
1125 assessments pursuant to s. 1008.22 or, if a private school
1126 chooses to offer the statewide assessments, administering the
1127 assessments at the school.

1128 a. A participating private school may choose to offer and
1129 administer the statewide assessments to all students who attend
1130 the private school in grades 3 through 10.

1131 b. A participating private school shall submit a request in
1132 writing to the Department of Education by March 1 of each year
1133 in order to administer the statewide assessments in the
1134 subsequent school year.

1135 (d) Employ or contract with teachers who have regular and
1136 direct contact with each student receiving a scholarship under
1137 this section at the school's physical location.

1138 (e) Provide a report from an independent certified public
1139 accountant who performs the agreed-upon procedures developed
1140 under s. 1002.395(6)(o) if the private school receives more than
1141 \$250,000 in funds from scholarships awarded under this chapter



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1142 ~~section~~ in a state fiscal year. A private school subject to this
1143 paragraph must annually submit the report by September 15 to the
1144 organization that awarded the majority of the school's
1145 scholarship funds. The agreed-upon procedures must be conducted
1146 in accordance with attestation standards established by the
1147 American Institute of Certified Public Accountants.

1148
1149 If a private school fails or refuses ~~is unable~~ to meet the
1150 requirements of this subsection or has consecutive years of
1151 material exceptions listed in the report required under
1152 paragraph (e), the commissioner may determine that the private
1153 school is ineligible to participate in the program.

1154 (11) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
1155 PARTICIPATION.—A parent who applies for program participation
1156 under this section is exercising his or her parental option to
1157 determine the appropriate placement or the services that best
1158 meet the needs of his or her child. The scholarship award for a
1159 student is based on a matrix that assigns the student to support
1160 Level III services. If a parent receives an IEP and a matrix of
1161 services from the school district pursuant to subsection (7),
1162 the amount of the payment shall be adjusted as needed, when the
1163 school district completes the matrix.

1164 (a) To satisfy or maintain program eligibility, including
1165 eligibility to receive and spend program payments, the parent
1166 must sign an agreement with the organization and annually submit
1167 a notarized, sworn compliance statement to the organization to:

1168 1. Affirm that the student is enrolled in a program that
1169 meets regular school attendance requirements as provided in s.
1170 1003.01(13)(b) or (c) ~~s. 1003.01(13)(b)-(d)~~.



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1171 2. Affirm that the program funds are used only for
1172 authorized purposes serving the student's educational needs, as
1173 described in subsection (5).

1174 3. Affirm that the parent is responsible for the education
1175 of his or her student by, as applicable:

1176 a. Requiring the student to take an assessment in
1177 accordance with paragraph (8)(c);

1178 b. Providing an annual evaluation in accordance with s.
1179 1002.41(1)(c); or

1180 c. Requiring the child to take any preassessments and
1181 postassessments selected by the provider if the child is 4 years
1182 of age and is enrolled in a program provided by an eligible
1183 Voluntary Prekindergarten Education Program provider. A student
1184 with disabilities for whom a preassessment and postassessment is
1185 not appropriate is exempt from this requirement. A participating
1186 provider shall report a student's scores to the parent.

1187 4. Affirm that the student remains in good standing with
1188 the provider or school if those options are selected by the
1189 parent.

1190
1191 A parent who fails to comply with this subsection forfeits the
1192 Gardiner Scholarship.

1193 Section 14. Subsection (3), paragraph (f) of subsection
1194 (6), and subsection (8) of section 1002.39, Florida Statutes,
1195 are amended to read:

1196 1002.39 The John M. McKay Scholarships for Students with
1197 Disabilities Program.—There is established a program that is
1198 separate and distinct from the Opportunity Scholarship Program
1199 and is named the John M. McKay Scholarships for Students with



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1200 Disabilities Program.

1201 (3) JOHN M. MCKAY SCHOLARSHIP PROHIBITIONS.—A student is
1202 not eligible for a John M. McKay Scholarship:

1203 (a) While he or she is enrolled in a school operating for
1204 the purpose of providing educational services to youth in
1205 Department of Juvenile Justice commitment programs;

1206 (b) While he or she is receiving a Florida tax credit
1207 scholarship under s. 1002.395;

1208 (c) While he or she is receiving an educational scholarship
1209 pursuant to this chapter;

1210 (d) While he or she is participating in a home education
1211 program as defined in s. 1002.01(1);

1212 ~~(e) While he or she is participating in a private tutoring~~
1213 ~~program pursuant to s. 1002.43;~~

1214 (e)~~(f)~~ While he or she is participating in a virtual
1215 school, correspondence school, or distance learning program that
1216 receives state funding pursuant to the student's participation
1217 unless the participation is limited to no more than two courses
1218 per school year;

1219 (f)~~(g)~~ While he or she is enrolled in the Florida School
1220 for the Deaf and the Blind;

1221 (g)~~(h)~~ While he or she is not having regular and direct
1222 contact with his or her private school teachers at the school's
1223 physical location unless he or she is enrolled in the private
1224 school's transition-to-work program pursuant to subsection (10);
1225 or

1226 (h)~~(i)~~ If he or she has been issued a temporary 504
1227 accommodation plan under s. 504 of the Rehabilitation Act of
1228 1973 which is valid for 6 months or less.



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1229 (6) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department
1230 shall:

1231 (f)1. Conduct ~~random~~ site visits to private schools
1232 participating in the John M. McKay Scholarships for Students
1233 with Disabilities Program as authorized under s. 1002.421(7).
1234 The purposes ~~purpose~~ of the site visits are ~~is solely~~ to verify
1235 compliance with the provisions of subsection (7) aimed at
1236 protecting the health, safety, and welfare of students and to
1237 verify the information reported by the schools concerning the
1238 enrollment and attendance of students, the credentials of
1239 teachers, background screening of teachers, and teachers'
1240 fingerprinting results, which information is required by rules
1241 of the State Board of Education, subsection (8), and s.
1242 1002.421. The Department of Education may ~~not~~ make followup more
1243 than three ~~random~~ site visits at any time to any school that has
1244 received a notice of noncompliance or a notice of proposed
1245 action within the previous 2 years pursuant to subsection (7)
1246 each year and may not make more than one random site visit each
1247 year to the same private school.

1248 2. Annually, by December 15, report to the Governor, the
1249 President of the Senate, and the Speaker of the House of
1250 Representatives the Department of Education's actions with
1251 respect to implementing accountability in the scholarship
1252 program under this section and s. 1002.421, any substantiated
1253 allegations or violations of law or rule by an eligible private
1254 school under this program concerning the enrollment and
1255 attendance of students, the credentials of teachers, background
1256 screening of teachers, and teachers' fingerprinting results and
1257 the corrective action taken by the Department of Education.



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1258 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—To be
1259 eligible to participate in the John M. McKay Scholarships for
1260 Students with Disabilities Program, a private school may be
1261 sectarian or nonsectarian and must:

1262 (a) Comply with all requirements for private schools
1263 participating in state school choice scholarship programs
1264 pursuant to s. 1002.421.

1265 (b) Provide to the department all documentation required
1266 for a student's participation, including the private school's
1267 and student's fee schedules, at least 30 days before any
1268 quarterly scholarship payment is made for the student pursuant
1269 to paragraph (11) (e). A student is not eligible to receive a
1270 quarterly scholarship payment if the private school fails to
1271 meet this deadline.

1272 (c) Be academically accountable to the parent for meeting
1273 the educational needs of the student by:

1274 1. At a minimum, annually providing to the parent a written
1275 explanation of the student's progress.

1276 2. Cooperating with the scholarship student whose parent
1277 chooses to participate in the statewide assessments pursuant to
1278 s. 1008.22.

1279 (d) Maintain in this state a physical location where a
1280 scholarship student regularly attends classes.

1281 (e) If the private school that participates in a state
1282 scholarship program under this chapter receives more than
1283 \$250,000 in funds from scholarships awarded under chapter 1002
1284 in a state fiscal year, provide an annual report from an
1285 independent certified public accountant who performs the agreed-
1286 upon procedures developed under s. 1002.395(6) (o). Such a



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1287 private school must annually submit the required report by
1288 September 15 to the organization that awarded the majority of
1289 the school's scholarship funds. The agreed-upon procedures must
1290 be conducted in accordance with attestation standards
1291 established by the American Institute of Certified Public
1292 Accountants.

1293
1294 The failure or refusal ~~inability~~ of a private school to meet the
1295 requirements of this subsection shall constitute a basis for the
1296 ineligibility of the private school to participate in the
1297 scholarship program as determined by the department.

1298 Section 15. Subsection (4), paragraph (o) of subsection
1299 (6), subsection (8), and paragraph (n) of subsection (9) of
1300 section 1002.395, Florida Statutes, are amended to read:

1301 1002.395 Florida Tax Credit Scholarship Program.—

1302 (4) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for
1303 a scholarship while he or she is:

1304 (a) Enrolled in a school operating for the purpose of
1305 providing educational services to youth in Department of
1306 Juvenile Justice commitment programs;

1307 (b) Receiving a scholarship from another eligible nonprofit
1308 scholarship-funding organization under this section;

1309 (c) Receiving an educational scholarship pursuant to
1310 chapter 1002;

1311 (d) Participating in a home education program as defined in
1312 s. 1002.01(1);

1313 ~~(e) Participating in a private tutoring program pursuant to~~
1314 ~~s. 1002.43;~~

1315 (e) ~~(f)~~ Participating in a virtual school, correspondence



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1316 school, or distance learning program that receives state funding
1317 pursuant to the student's participation unless the participation
1318 is limited to no more than two courses per school year; or

1319 (f)~~(g)~~ Enrolled in the Florida School for the Deaf and the
1320 Blind.

1321 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
1322 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
1323 organization:

1324 (o)1.a. Must participate in the joint development of
1325 agreed-upon procedures to be performed by an independent
1326 certified public accountant as required under paragraph (8) (e)
1327 if the scholarship-funding organization provided more than
1328 \$250,000 in scholarship funds to an eligible private school
1329 under this chapter section during the ~~2009-2010~~ state fiscal
1330 year. The agreed-upon procedures must uniformly apply to all
1331 private schools and must determine, at a minimum, whether the
1332 private school has been verified as eligible by the Department
1333 of Education under paragraph (9) (c); has an adequate accounting
1334 system, system of financial controls, and process for deposit
1335 and classification of scholarship funds; and has properly
1336 expended scholarship funds for education-related expenses.
1337 During the development of the procedures, the participating
1338 scholarship-funding organizations shall specify guidelines
1339 governing the materiality of exceptions that may be found during
1340 the accountant's performance of the procedures. The procedures
1341 and guidelines shall be provided to private schools and the
1342 Commissioner of Education by March 15, 2011.

1343 b. Must participate in a joint review of the agreed-upon
1344 procedures and guidelines developed under sub-subparagraph a.,



1345 by February 2013 and biennially thereafter, if the scholarship-
1346 funding organization provided more than \$250,000 in scholarship
1347 funds to an eligible private school under this chapter section
1348 during the state fiscal year preceding the biennial review. If
1349 the procedures and guidelines are revised, the revisions must be
1350 provided to private schools and the Commissioner of Education by
1351 March 15, 2013, and biennially thereafter.

1352 c. Must monitor the compliance of a private school with
1353 paragraph (8)(e) if the scholarship-funding organization
1354 provided the majority of the scholarship funding to the school.
1355 For each private school subject to paragraph (8)(e), the
1356 appropriate scholarship-funding organization shall notify the
1357 Commissioner of Education by October 30, 2011, and annually
1358 thereafter of:

1359 (I) A private school's failure to submit a report required
1360 under paragraph (8)(e); or

1361 (II) Any material exceptions set forth in the report
1362 required under paragraph (8)(e).

1363 2. Must seek input from the accrediting associations that
1364 are members of the Florida Association of Academic Nonpublic
1365 Schools when jointly developing the agreed-upon procedures and
1366 guidelines under sub-subparagraph 1.a. and conducting a review
1367 of those procedures and guidelines under sub-subparagraph 1.b.

1368
1369 Information and documentation provided to the Department of
1370 Education and the Auditor General relating to the identity of a
1371 taxpayer that provides an eligible contribution under this
1372 section shall remain confidential at all times in accordance
1373 with s. 213.053.



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1374 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible
1375 private school may be sectarian or nonsectarian and must:

1376 (a) Comply with all requirements for private schools
1377 participating in state school choice scholarship programs
1378 pursuant to s. 1002.421.

1379 (b) Provide to the eligible nonprofit scholarship-funding
1380 organization, upon request, all documentation required for the
1381 student's participation, including the private school's and
1382 student's fee schedules.

1383 (c) Be academically accountable to the parent for meeting
1384 the educational needs of the student by:

1385 1. At a minimum, annually providing to the parent a written
1386 explanation of the student's progress.

1387 2. Annually administering or making provision for students
1388 participating in the scholarship program in grades 3 through 10
1389 to take one of the nationally norm-referenced tests identified
1390 by the Department of Education or the statewide assessments
1391 pursuant to s. 1008.22. Students with disabilities for whom
1392 standardized testing is not appropriate are exempt from this
1393 requirement. A participating private school must report a
1394 student's scores to the parent. A participating private school
1395 must annually report by August 15 the scores of all
1396 participating students to the Learning System Institute
1397 described in paragraph (9)(j).

1398 3. Cooperating with the scholarship student whose parent
1399 chooses to have the student participate in the statewide
1400 assessments pursuant to s. 1008.22 or, if a private school
1401 chooses to offer the statewide assessments, administering the
1402 assessments at the school.



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1403 a. A participating private school may choose to offer and
1404 administer the statewide assessments to all students who attend
1405 the private school in grades 3 through 10.

1406 b. A participating private school must submit a request in
1407 writing to the Department of Education by March 1 of each year
1408 in order to administer the statewide assessments in the
1409 subsequent school year.

1410 (d) Employ or contract with teachers who have regular and
1411 direct contact with each student receiving a scholarship under
1412 this section at the school's physical location.

1413 (e) Provide a report from an independent certified public
1414 accountant who performs the agreed-upon procedures developed
1415 under paragraph (6)(o) if the private school receives more than
1416 \$250,000 in funds from scholarships awarded under this chapter
1417 ~~section~~ in a state fiscal year. A private school subject to this
1418 paragraph must annually submit the report by September 15 to the
1419 scholarship-funding organization that awarded the majority of
1420 the school's scholarship funds. The agreed-upon procedures must
1421 be conducted in accordance with attestation standards
1422 established by the American Institute of Certified Public
1423 Accountants.

1424
1425 If a private school fails or refuses ~~is unable~~ to meet the
1426 requirements of this subsection or has consecutive years of
1427 material exceptions listed in the report required under
1428 paragraph (e), the commissioner may determine that the private
1429 school is ineligible to participate in the scholarship program
1430 as determined by the Department of Education.

1431 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of



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1432 Education shall:

1433 (n)1. Conduct site visits to private schools participating
1434 in the Florida Tax Credit Scholarship Program as authorized
1435 under s. 1002.421(7). The purposes ~~purpose~~ of the site visits
1436 are is solely to verify compliance with the provisions of
1437 subsection (11) aimed at protecting the health, safety, and
1438 welfare of students and to verify the information reported by
1439 the schools concerning the enrollment and attendance of
1440 students, the credentials of teachers, background screening of
1441 teachers, and teachers' fingerprinting results. ~~The Department~~
1442 ~~of Education may not make more than seven site visits each year;~~
1443 ~~however,~~ The department may make followup ~~additional~~ site visits
1444 at any time to any school that, pursuant to subsection (11), has
1445 received a notice of noncompliance or a notice of proposed
1446 action within the previous 2 years.

1447 2. Annually, by December 15, report to the Governor, the
1448 President of the Senate, and the Speaker of the House of
1449 Representatives the Department of Education's actions with
1450 respect to implementing accountability in the scholarship
1451 program under this section and s. 1002.421, any substantiated
1452 allegations or violations of law or rule by an eligible private
1453 school under this program concerning the enrollment and
1454 attendance of students, the credentials of teachers, background
1455 screening of teachers, and teachers' fingerprinting results and
1456 the corrective action taken by the Department of Education.

1457 Section 16. Section 1002.40, Florida Statutes, is created
1458 to read:

1459 1002.40 The Hope Scholarship Program.-

1460 (1) PURPOSE.-The Hope Scholarship Program is established to



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1461 provide the parent of a public school student who was the victim
1462 of a substantiated incident of violence or abuse, as listed in
1463 subsection (3), an opportunity to transfer the student to
1464 another public school that has capacity or to request and
1465 receive a scholarship for the student to enroll in and attend an
1466 eligible private school.

1467 (2) DEFINITIONS.—As used in this section, the term:

1468 (a) "Department" means the Department of Education.

1469 (b) "Eligible contribution" or "contribution" means a
1470 monetary contribution from a person required to pay sales and
1471 use tax on the purchase or acquisition of a motor vehicle,
1472 subject to the restrictions provided in this section, to an
1473 eligible nonprofit scholarship-funding organization. The
1474 taxpayer making the contribution may not designate a specific
1475 student as the beneficiary of the contribution.

1476 (c) "Eligible nonprofit scholarship-funding organization"
1477 or "organization" has the same meaning as provided in s.
1478 1002.395(2)(f), as determined by the department.

1479 (d) "Eligible private school" has the same meaning as
1480 provided in s. 1002.395(2)(g), as determined by the department.

1481 (e) "Motor vehicle" has the same meaning as provided in s.
1482 320.01(1)(a), but does not include heavy trucks, truck tractors,
1483 trailers, and motorcycles.

1484 (f) "Parent" means a resident of this state who is a
1485 parent, as defined in s. 1000.21, and whose public school
1486 student was the victim of a reported incident, as listed in
1487 subsection (3).

1488 (g) "Principal" means the principal or his or her designee.

1489 (h) "Program" means the Hope Scholarship Program.



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1490 (i) "School" includes any educational program or activity
1491 conducted by a public K-12 educational institution, any school-
1492 related or school-sponsored program or activity, and riding on a
1493 school bus, as defined in s. 1006.25(1), including waiting at a
1494 school bus stop.

1495 (j) "Unweighted FTE funding amount" means the statewide
1496 average total funds per unweighted full-time equivalent funding
1497 amount that is incorporated by reference in the General
1498 Appropriations Act for the applicable state fiscal year.

1499 (3) PROGRAM ELIGIBILITY.—Beginning with the 2018-2019
1500 school year, contingent upon available funds, and on a first-
1501 come, first-served basis, a student enrolled full time in a
1502 Florida public school in kindergarten through grade 12 is
1503 eligible for a scholarship under this program if all of the
1504 following conditions are met:

1505 (a) The student is the victim of a substantiated incident
1506 of battery; harassment; hazing; bullying; kidnapping; physical
1507 attack; robbery; sexual offenses, harassment, assault, or
1508 battery; threat or intimidation; or fighting at school.

1509 (b) The incident is formally reported by the victim or the
1510 victim's parent to the principal.

1511 (c) Through an investigation, the principal finds that the
1512 incident is substantiated.

1513 (d) The principal's investigation remains open or the
1514 district's resolution of issues related to the incident remain
1515 unresolved after timely notification, deliberative evaluation,
1516 and 30 days of responsible and appropriate action taken in
1517 accordance with paragraph (5) (a).

1518 (4) PROGRAM PROHIBITIONS.—Payment of a scholarship may not



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1519 be made if a student is:

1520 (a) Enrolled in a public school, including, but not limited
1521 to, the Florida School for the Deaf and the Blind; the College-
1522 Preparatory Boarding Academy; the Florida Virtual School; a
1523 developmental research school authorized under s. 1002.32; or a
1524 charter school authorized under s. 1002.33, s. 1002.331, s.
1525 1002.332, or s. 1002.333;

1526 (b) Enrolled in a school operating for the purpose of
1527 providing educational services to youth in the Department of
1528 Juvenile Justice commitment programs;

1529 (c) Participating in a virtual school, correspondence
1530 school, or distance learning program that receives state funding
1531 pursuant to the student's participation unless the participation
1532 is limited to no more than two courses per school year;

1533 (d) Receiving any other educational scholarship pursuant to
1534 this chapter; or

1535 (e) Participating in a home education program, as defined
1536 in s. 1002.01.

1537 (5) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.-

1538 (a)1. Within 24 hours after receipt of a formal report of
1539 an incident listed in subsection (3)(a), the principal shall
1540 provide a copy of the report to the victim's parent and the
1541 alleged offender's parent. The report must include a statement
1542 of the expected investigative actions and the timeline for
1543 reporting the outcome of the investigation. Within 24 hours
1544 after receipt of the formal report, the principal must also
1545 provide the superintendent with a copy of the report and
1546 verification that the parents of the victim and the alleged
1547 offender have been provided a copy of the incident report and



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1548 other required information.

1549 2. In accordance with s. 1006.09, the principal must
1550 investigate the incident to determine if the incident is
1551 substantiated or unsubstantiated, and if the incident must be
1552 reported. The principal may, at his or her discretion, determine
1553 the extent to which each student was engaged in instigating,
1554 initiating, or reacting to a physical altercation, and may
1555 consider such information when evaluating and determining
1556 appropriate disciplinary actions and investigation outcomes.

1557 3. During the investigation period, the principal and the
1558 superintendent shall take all necessary actions to continue the
1559 educational services of students involved in the reported
1560 incident while taking every reasonable precaution to keep the
1561 alleged offender separated from the victim or any sibling of the
1562 victim while on school grounds or on school transportation,
1563 pursuant to ss. 1006.09, 1006.13, and 1006.147, as appropriate.

1564 4. Upon the principal's determination that an alleged
1565 incident is unsubstantiated or the resolution of issues related
1566 to a substantiated incident or within 15 days after the incident
1567 was reported, whichever occurs first, the principal must report
1568 to the victim's parent and the alleged offender's parent the
1569 findings, outcome, or status of the investigation. The principal
1570 shall continue to provide such reports to the parents at least
1571 every 15 days until the investigation concludes and issues
1572 associated with the incident are resolved.

1573 5. If the principal's investigation into the incident
1574 remains open more than 30 days after the date a substantiated
1575 incident was reported or issues associated with the incident
1576 remain unresolved, the school district, in accordance with the



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1577 school district's code of student conduct, shall:

1578 a. Notify the victim's parent of the availability of the
1579 program and offer that parent an opportunity to enroll his or
1580 her student in another public school or to request and receive a
1581 scholarship to attend an eligible private school, subject to
1582 available funding; and

1583 b. Provide the victim's parent with a written notification
1584 of the result of the principal's investigation of the alleged
1585 incident. The parent must provide such notification to the
1586 scholarship-funding organization that verifies the student's
1587 eligibility.

1588 6. To facilitate timely, appropriate, and fiscally
1589 accountable scholarship payments, school districts must report
1590 and verify student enrollment information during and outside of
1591 regular FTE student enrollment survey periods, as requested by
1592 the department pursuant to paragraph (7) (d).

1593 (b)1. A parent who, pursuant to s. 1002.31, chooses to
1594 enroll his or her student in a Florida public school located
1595 outside the district in which the student resides shall be
1596 eligible for a scholarship under paragraph (11) (b) to transport
1597 the student.

1598 2. For each student participating in the program in a
1599 private school who chooses to participate in the statewide
1600 assessments under s. 1008.22 or the Florida Alternate
1601 Assessment, the school district in which the student resides
1602 must notify the student and his or her parent about the
1603 locations and times to take all statewide assessments.

1604 (6) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible
1605 private school may be sectarian or nonsectarian and shall:



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1606 (a) Meet the definition of a private school in s. 1002.01
1607 and comply with all requirements for private schools
1608 participating in state school choice scholarship programs
1609 pursuant to this section and s. 1002.421.

1610 (b) Provide to the organization and the department, upon
1611 request, all documentation required for the student's
1612 participation, including, but not limited to, the private
1613 school's and the student's fee schedules.

1614 (c) Be academically accountable to the parent for meeting
1615 the educational needs of the student by:

1616 1. At a minimum, annually providing to the parent a written
1617 explanation of the student's progress.

1618 2. Annually administering or making provision for students
1619 participating in the program in grades 3 through 10 to take one
1620 of the nationally norm-referenced tests identified by the
1621 department or the statewide assessments pursuant to s. 1008.22.
1622 Students with disabilities for whom standardized testing is not
1623 appropriate are exempt from this requirement. A participating
1624 private school shall report a student's scores to his or her
1625 parent.

1626 3. Cooperating with the student whose parent chooses to
1627 have the student participate in the statewide assessments
1628 pursuant to s. 1008.22 or, if a private school chooses to offer
1629 the statewide assessments, administering the assessments at the
1630 school.

1631 a. A participating private school may choose to offer and
1632 administer the statewide assessments to all students who attend
1633 the private school in grades 3 through 10.

1634 b. A participating private school shall submit a request in



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1635 writing to the department by March 1 of each year in order to
1636 administer the statewide assessments in the subsequent school
1637 year.

1638 (d) Employ or contract with teachers who have regular and
1639 direct contact with each student receiving a scholarship under
1640 this section at the school's physical location.

1641 (e) Maintain in this state a physical location where a
1642 scholarship student regularly attends classes.

1643 (f) Provide a report from an independent certified public
1644 accountant who performs the agreed-upon procedures developed
1645 under s. 1002.395(6)(o) if the private school receives more than
1646 \$250,000 in funds from scholarships awarded under this section
1647 in a state fiscal year. A private school subject to this
1648 paragraph must annually submit the report by September 15 to the
1649 organization that awarded the majority of the school's
1650 scholarship funds. The agreed-upon procedures must be conducted
1651 in accordance with attestation standards established by the
1652 American Institute of Certified Public Accountants.

1653
1654 The failure of a private school to meet the requirements of this
1655 subsection constitutes a basis for the ineligibility of the
1656 private school to participate in the program, as determined by
1657 the department.

1658 (7) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department
1659 shall:

1660 (a) Establish a toll-free hotline that provides parents and
1661 private schools with information on participation in the
1662 program.

1663 (b) Annually verify the eligibility of private schools that



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1664 meet the requirements of subsection (6).

1665 (c) Require an annual notarized and sworn compliance
1666 statement by participating private schools certifying compliance
1667 with state laws and retain such records.

1668 (d) Cross-check the list of participating students with the
1669 public school enrollment lists and participation lists in other
1670 scholarship programs established under this chapter before each
1671 scholarship payment to avoid duplication.

1672 (e) Maintain a list of nationally norm-referenced tests
1673 identified for purposes of satisfying the testing requirement in
1674 paragraph (9) (f). The tests must meet industry standards of
1675 quality in accordance with State Board of Education rule.

1676 (f) Require quarterly reports by an eligible nonprofit
1677 scholarship-funding organization regarding the number of
1678 students participating in the scholarship program, the private
1679 schools in which the students are enrolled, and other
1680 information deemed necessary by the department.

1681 (g) Contract with an independent entity to provide an
1682 annual evaluation of the program by:

1683 1. Reviewing the school climate and code of student conduct
1684 of each public school that reported the occurrence of a monthly
1685 average of 10 or more substantiated incidents to determine areas
1686 in the school or school district procedures involving reporting,
1687 investigating, and communicating a parent's and student's rights
1688 which are in need of improvement. At a minimum, the review must
1689 include:

1690 a. An assessment of the investigation time and quality of
1691 the response of the school and the school district;

1692 b. An assessment of the effectiveness of communication



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1693 procedures with the students involved in an incident, the
1694 students' parents, and the school and school district personnel;

1695 c. An analysis of school incident and discipline data; and

1696 d. The challenges and obstacles relating to implementing
1697 recommendations from this review.

1698 2. Reviewing the school climate and code of student conduct
1699 of each public school a student transferred to if the student
1700 was from a school identified in subparagraph 1. in order to
1701 identify best practices and make recommendations to a public
1702 school at which the incidents occurred.

1703 3. Reviewing the performance of participating students
1704 enrolled in a private school in which the majority of the
1705 school's total enrolled students in the prior school year
1706 participated in one or more scholarship programs, as defined in
1707 s. 1002.01, in which there are at least 10 participating
1708 students who have scores for tests administered; and reviewing
1709 the school climate and code of student conduct of the private
1710 school if one or more scholarship participants were involved in
1711 a reported incident at the school during the prior school year.

1712 4. Surveying the parents of participating students to
1713 determine academic, safety, and school climate satisfaction and
1714 to identify any challenges or obstacles in addressing the
1715 incident or relating to the use of the scholarship.

1716 (h) Upon the request of a participating private school,
1717 provide at no cost to the school the statewide assessments
1718 administered under s. 1008.22 and any related materials for
1719 administering the assessments. Students at a private school may
1720 be assessed using the statewide assessments if the addition of
1721 those students and the school does not cause the state to exceed



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1722 its contractual caps for the number of students tested and the
1723 number of testing sites. The state shall provide the same
1724 materials and support to a private school that it provides to a
1725 public school. A private school that chooses to administer
1726 statewide assessments under s. 1008.22 shall follow the
1727 requirements set forth in ss. 1008.22 and 1008.24, rules adopted
1728 by the State Board of Education to implement those sections, and
1729 district-level testing policies established by the district
1730 school board.

1731 (i) Establish a process by which individuals may notify the
1732 department of any violation by a parent, private school, or
1733 school district of state laws relating to program participation.
1734 The department shall conduct an inquiry or make a referral to
1735 the appropriate agency for an investigation of any written
1736 complaint of a violation of this section if the complaint is
1737 signed by the complainant and is legally sufficient. A complaint
1738 is legally sufficient if such complaint contains ultimate facts
1739 that show that a violation of this section or any rule adopted
1740 by the State Board of Education pursuant to this section has
1741 occurred. In order to determine legal sufficiency, the
1742 department may require supporting information or documentation
1743 from the complainant. A department inquiry is not subject to the
1744 requirements of chapter 120.

1745 (j)1. Conduct site visits to participating private schools.
1746 The purpose of the site visits is solely to verify the
1747 information reported by the schools concerning the enrollment
1748 and attendance of students, the credentials of teachers,
1749 background screening of teachers, teachers' fingerprinting
1750 results, and other conditions required pursuant to s. 1002.421



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1751 and this section. The department may not make more than seven
1752 site visits each year; however, the department may make
1753 additional site visits at any time to a school that is the
1754 subject of a violation complaint submitted pursuant to paragraph
1755 (i), is identified by an organization for a known or suspected
1756 violation, or has received a notice of noncompliance or a notice
1757 of proposed action within the current year or the previous 2
1758 years.

1759 2. Annually, by December 15, report to the Governor, the
1760 President of the Senate, and the Speaker of the House of
1761 Representatives the department's actions with respect to
1762 implementing accountability in the program under this section
1763 and s. 1002.421, any substantiated allegations or violations of
1764 law or rule by an eligible private school under this program,
1765 and the corrective action taken by the department.

1766 (8) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—

1767 (a) The Commissioner of Education:

1768 1. Shall deny, suspend, or revoke a private school's
1769 participation in the program if it is determined that the
1770 private school has failed to comply with the provisions of this
1771 section. However, if the noncompliance is correctable within a
1772 reasonable amount of time and if the health, safety, or welfare
1773 of the students is not threatened, the commissioner may issue a
1774 notice of noncompliance which provides the private school with a
1775 timeframe within which to provide evidence of compliance before
1776 taking action to suspend or revoke the private school's
1777 participation in the program.

1778 2. May deny, suspend, or revoke a private school's
1779 participation in the program if the commissioner determines that



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1780 an owner or operator of the private school is operating or has
1781 operated an educational institution in this state or in another
1782 state or jurisdiction in a manner contrary to the health,
1783 safety, or welfare of the public.

1784 a. In making such a determination, the commissioner may
1785 consider factors that include, but are not limited to, acts or
1786 omissions by an owner or operator which led to a previous denial
1787 or revocation of participation in an education scholarship
1788 program; an owner's or operator's failure to reimburse the
1789 department for scholarship funds improperly received or retained
1790 by a school; imposition of a prior criminal sanction related to
1791 an owner's or operator's management or operation of an
1792 educational institution; imposition of a civil fine or
1793 administrative fine, license revocation or suspension, or
1794 program eligibility suspension, termination, or revocation
1795 related to an owner's or operator's management or operation of
1796 an educational institution; or other types of criminal
1797 proceedings in which an owner or operator was found guilty of,
1798 regardless of adjudication, or entered a plea of nolo contendere
1799 or guilty to, any offense involving fraud, deceit, dishonesty,
1800 or moral turpitude.

1801 b. For purposes of this subparagraph, the term "owner or
1802 operator" includes an owner, operator, superintendent, or
1803 principal of, or a person who has equivalent decisionmaking
1804 authority over, a private school participating in the
1805 scholarship program.

1806 (b) The commissioner's determination is subject to the
1807 following:

1808 1. If the commissioner intends to deny, suspend, or revoke



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1809 a private school's participation in the program, the department
1810 shall notify the private school of such proposed action in
1811 writing by certified mail and regular mail to the private
1812 school's address of record with the department. The notification
1813 shall include the reasons for the proposed action and notice of
1814 the timelines and procedures set forth in this paragraph.

1815 2. The private school that is adversely affected by the
1816 proposed action shall have 15 days after receipt of the notice
1817 of proposed action to file with the department's agency clerk a
1818 request for a proceeding pursuant to ss. 120.569 and 120.57. If
1819 the private school is entitled to a hearing under s. 120.57(1),
1820 the department shall refer the request to the Division of
1821 Administrative Hearings.

1822 3. Upon receipt of a request referred pursuant to this
1823 paragraph, the director of the Division of Administrative
1824 Hearings shall expedite the hearing and assign an administrative
1825 law judge who shall commence a hearing within 30 days after the
1826 receipt of the formal written request by the division and enter
1827 a recommended order within 30 days after the hearing or within
1828 30 days after receipt of the hearing transcript, whichever is
1829 later. Each party shall be allowed 10 days in which to submit
1830 written exceptions to the recommended order. A final order shall
1831 be entered by the agency within 30 days after the entry of a
1832 recommended order. The provisions of this subparagraph may be
1833 waived upon stipulation by all parties.

1834 (c) The commissioner may immediately suspend payment of
1835 scholarship funds if it is determined that there is probable
1836 cause to believe that there is:

1837 1. An imminent threat to the health, safety, or welfare of



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1838 the students; or
1839 2. Fraudulent activity on the part of the private school.
1840 Notwithstanding s. 1002.22, in incidents of alleged fraudulent
1841 activity pursuant to this section, the department's Office of
1842 Inspector General is authorized to release personally
1843 identifiable records or reports of students to the following
1844 persons or organizations:
1845 a. A court of competent jurisdiction in compliance with an
1846 order of that court or the attorney of record in accordance with
1847 a lawfully issued subpoena, consistent with the Family
1848 Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.
1849 b. A person or entity authorized by a court of competent
1850 jurisdiction in compliance with an order of that court or the
1851 attorney of record pursuant to a lawfully issued subpoena,
1852 consistent with the Family Educational Rights and Privacy Act,
1853 20 U.S.C. s. 1232g.
1854 c. Any person, entity, or authority issuing a subpoena for
1855 law enforcement purposes when the court or other issuing agency
1856 has ordered that the existence or the contents of the subpoena
1857 or the information furnished in response to the subpoena not be
1858 disclosed, consistent with the Family Educational Rights and
1859 Privacy Act, 20 U.S.C. s. 1232g, and 34 C.F.R. s. 99.31.
1860
1861 The commissioner's suspension of payment pursuant to this
1862 paragraph may be appealed pursuant to the same procedures and
1863 timelines as the notice of proposed action set forth in
1864 paragraph (b).
1865 (9) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
1866 PARTICIPATION.—A parent who applies for a Hope Scholarship is



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1867 exercising his or her parental option to place his or her
1868 student in an eligible private school.

1869 (a) The parent must select an eligible private school and
1870 apply for the admission of his or her student.

1871 (b) The parent must inform the student's school district
1872 when the parent withdraws his or her student to attend an
1873 eligible private school.

1874 (c) Any student participating in the program must comply
1875 with the regular attendance requirements of s. 1003.01(13) and
1876 remain in attendance throughout the school year unless excused
1877 by the school for illness or other good cause.

1878 (d) Each parent and each student has an obligation to the
1879 private school to comply with the private school's published
1880 policies.

1881 (e) Upon reasonable notice to the department and the school
1882 district, the parent may remove the student from the private
1883 school and place the student in a public school in accordance
1884 with this section.

1885 (f) The parent must ensure that the student participating
1886 in the program takes the norm-referenced assessment offered by
1887 the private school. The parent may also choose to have the
1888 student participate in the statewide assessments pursuant to s.
1889 1008.22. If the parent requests that the student participating
1890 in the program take the statewide assessments pursuant to s.
1891 1008.22 and the private school has not chosen to offer and
1892 administer the statewide assessments, the parent is responsible
1893 for transporting the student to the assessment site designated
1894 by the school district.

1895 (g) Upon receipt of a scholarship warrant, the parent to



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1896 whom the warrant is made must restrictively endorse the warrant
1897 to the private school for deposit into the account of the
1898 private school. The parent may not designate any entity or
1899 individual associated with the participating private school as
1900 the parent's attorney in fact to endorse a scholarship warrant.
1901 A parent who fails to comply with this paragraph forfeits the
1902 scholarship.

1903 (10) OBLIGATIONS OF NONPROFIT SCHOLARSHIP-FUNDING
1904 ORGANIZATIONS.—An organization may establish scholarships for
1905 eligible students by:

1906 (a) Receiving applications and determining student
1907 eligibility in accordance with the requirements of this section.

1908 (b) Notifying parents of their receipt of a scholarship on
1909 a first-come, first-served basis, based upon available funds.

1910 (c) Preparing and submitting quarterly and annual reports
1911 to the department pursuant to paragraphs (7) (f) and (g). In
1912 addition, an eligible nonprofit scholarship-funding organization
1913 must submit in a timely manner any information requested by the
1914 department relating to the scholarship program.

1915 (d) Notifying the department of any known or suspected
1916 violation of this section by a private school, parent, or
1917 student.

1918 (11) FUNDING AND PAYMENT.—

1919 (a) The maximum amount awarded to a student enrolled in an
1920 eligible private school shall be determined as a percentage of
1921 the unweighted FTE funding amount for that state fiscal year and
1922 thereafter as follows:

1923 1. Eighty-eight percent for a student enrolled in
1924 kindergarten through grade 5.



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1925 2. Ninety-two percent for a student enrolled in grade 6
1926 through grade 8.

1927 3. Ninety-six percent for a student enrolled in grade 9
1928 through grade 12.

1929 (b) The maximum amount awarded to a student enrolled in a
1930 Florida public school located outside of the district in which
1931 the student resides shall be \$750.

1932 (c) When a student enters the program, the organization
1933 must receive all documentation required for the student's
1934 participation, including a copy of the report of the
1935 substantiated incident received pursuant to subsection (5) and
1936 the private school's and the student's fee schedules. The
1937 initial payment shall be made after verification of admission
1938 acceptance, and subsequent payments shall be made upon
1939 verification of continued enrollment and attendance at the
1940 private school.

1941 (d) Payment of the scholarship by the eligible nonprofit
1942 scholarship-funding organization may be by individual warrant
1943 made payable to the student's parent or by funds transfer made
1944 by debit cards, electronic payment cards, or other means of
1945 payment which the department deems to be commercially viable or
1946 cost-effective. If payment is made by warrant, the warrant must
1947 be delivered by the eligible nonprofit scholarship-funding
1948 organization to the private school of the parent's choice, and
1949 the parent shall restrictively endorse the warrant to the
1950 private school. If payment is made by funds transfer, the parent
1951 must approve each payment before the scholarship funds may be
1952 deposited. The parent may not designate any entity or individual
1953 associated with the participating private school as the parent's



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1954 attorney in fact to endorse a scholarship warrant or approve a
1955 funds transfer.

1956 (e) An eligible nonprofit scholarship-funding organization
1957 shall obtain verification from the private school of a student's
1958 continued attendance at the school for each period covered by a
1959 scholarship payment.

1960 (f) Payment of the scholarship shall be made by the
1961 eligible nonprofit scholarship-funding organization no less
1962 frequently than on a quarterly basis.

1963 (g) An organization may use up to 3 percent of eligible
1964 contributions received during the state fiscal year in which
1965 such contributions are collected for administrative expenses if
1966 the organization has operated as an eligible nonprofit
1967 scholarship-funding organization for at least the preceding 3
1968 fiscal years and did not have any findings of material weakness
1969 or material noncompliance in its most recent audit under s.
1970 1002.395(6) (m). Such administrative expenses must be reasonable
1971 and necessary for the organization's management and distribution
1972 of eligible contributions under this section. Funds authorized
1973 under this paragraph may not be used for lobbying or political
1974 activity or expenses related to lobbying or political activity.
1975 Up to one-third of the funds authorized for administrative
1976 expenses under this paragraph may be used for expenses related
1977 to the recruitment of contributions from taxpayers. An eligible
1978 nonprofit scholarship-funding organization may not charge an
1979 application fee.

1980 (h) Moneys received pursuant to this section do not
1981 constitute taxable income to the qualified student or his or her
1982 parent.



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1983 (12) OBLIGATIONS OF THE AUDITOR GENERAL.—
1984 (a) The Auditor General shall conduct an annual operational
1985 audit of accounts and records of each organization that
1986 participates in the program. As part of this audit, the Auditor
1987 General shall verify, at a minimum, the total number of students
1988 served and transmit that information to the department. The
1989 Auditor General shall provide the commissioner with a copy of
1990 each annual operational audit performed pursuant to this
1991 subsection within 10 days after the audit is finalized.
1992 (b) The Auditor General shall notify the department of any
1993 organization that fails to comply with a request for
1994 information.
1995 (13) SCHOLARSHIP FUNDING TAX CREDITS.—
1996 (a) A tax credit is available under s. 212.1832 for use by
1997 a taxpayer that makes an eligible contribution to the program.
1998 Each eligible contribution is limited to a single payment of \$20
1999 at the time of purchase of a motor vehicle or a single payment
2000 of \$20 at the time of registration of a motor vehicle that was
2001 not purchased from a dealer. An eligible contribution shall be
2002 accompanied by an election to contribute to the program and
2003 shall be made by the purchaser at the time of purchase or at the
2004 time of registration on a form provided by the Department of
2005 Revenue. Payments of contributions shall be made to a dealer, as
2006 defined in chapter 212, at the time of purchase of a motor
2007 vehicle or to an agent of the Department of Revenue, as
2008 designated by s. 212.06(10), at the time of registration of a
2009 motor vehicle that was not purchased from a dealer.
2010 (b) A tax collector or any person or firm authorized to
2011 sell or issue a motor vehicle license who is designated as an



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2012 agent of the Department of Revenue pursuant to s. 212.06(10) or
2013 who is a dealer shall:

2014 1. Provide the purchaser the contribution election form, as
2015 prescribed by the Department of Revenue, at the time of purchase
2016 of a motor vehicle or at the time of registration of a motor
2017 vehicle that was not purchased from a dealer.

2018 2. Collect eligible contributions.

2019 3. Using a form provided by the Department of Revenue,
2020 which shall include the dealer's or agent's federal employer
2021 identification number, remit to an organization on or before the
2022 20th day of each month the total amount of contributions made to
2023 that organization and collected during the preceding calendar
2024 month.

2025 4. Report on each return filed with the Department of
2026 Revenue the total amount of credits allowed under s. 212.1832
2027 during the preceding calendar month.

2028 (c) An organization shall report to the Department of
2029 Revenue, on or before the 20th day of each month, the total
2030 amount of contributions received pursuant to paragraph (b) in
2031 the preceding calendar month on a form provided by the
2032 Department of Revenue. Such report shall include the federal
2033 employer identification number of each tax collector, authorized
2034 agent of the Department of Revenue, or dealer who remitted
2035 contributions to the organization during that reporting period.

2036 (d) A person who, with intent to unlawfully deprive or
2037 defraud the program of its moneys or the use or benefit thereof,
2038 fails to remit a contribution collected under this section is
2039 guilty of theft of charitable funds, punishable as follows:

2040 1. If the total amount stolen is less than \$300, the



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2041 offense is a misdemeanor of the second degree, punishable as
2042 provided in s. 775.082 or s. 775.083. Upon a second conviction,
2043 the offender is guilty of a misdemeanor of the first degree,
2044 punishable as provided in s. 775.082 or s. 775.083. Upon a third
2045 or subsequent conviction, the offender is guilty of a felony of
2046 the third degree, punishable as provided in s. 775.082, s.
2047 775.083, or s. 775.084.

2048 2. If the total amount stolen is \$300 or more, but less
2049 than \$20,000, the offense is a felony of the third degree,
2050 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2051 3. If the total amount stolen is \$20,000 or more, but less
2052 than \$100,000, the offense is a felony of the second degree,
2053 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2054 4. If the total amount stolen is \$100,000 or more, the
2055 offense is a felony of the first degree, punishable as provided
2056 in s. 775.082, s. 775.083, or s. 775.084.

2057 (e) A person convicted of an offense under paragraph (d)
2058 shall be ordered by the sentencing judge to make restitution to
2059 the organization in the amount that was stolen from the program.

2060 (14) LIABILITY.—The state is not liable for the award or
2061 any use of awarded funds under this section.

2062 (15) SCOPE OF AUTHORITY.—This section does not expand the
2063 regulatory authority of this state, its officers, or any school
2064 district to impose additional regulation on participating
2065 private schools beyond those reasonably necessary to enforce
2066 requirements expressly set forth in this section.

2067 (16) RULES.—The State Board of Education shall adopt rules
2068 to administer this section.

2069 Section 17. Section 1002.411, Florida Statutes, is created



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2070 to read:

2071 1002.411 Reading scholarship accounts.—

2072 (1) READING SCHOLARSHIP ACCOUNTS.—Reading scholarship
2073 accounts are established to provide educational options for
2074 students.

2075 (2) ELIGIBILITY.—Contingent upon available funds, and on a
2076 first-come, first-served basis, each student in grades 3 through
2077 5 who is enrolled in a Florida public school is eligible for a
2078 reading scholarship account if the student scored below a Level
2079 3 on the grade 3 or grade 4 statewide, standardized English
2080 Language Arts (ELA) assessment in the prior school year.

2081 (3) PARENT AND STUDENT RESPONSIBILITIES FOR PARTICIPATION.—

2082 (a) For an eligible student to receive a reading
2083 scholarship account, the student’s parent must:

2084 1. Submit an application to an eligible nonprofit
2085 scholarship-funding organization by the deadline established by
2086 such organization; and

2087 2. Submit eligible expenses to the eligible nonprofit
2088 scholarship-funding organization for reimbursement of qualifying
2089 expenditures, which may include:

2090 a. Instructional materials.

2091 b. Curriculum. As used in this sub-subparagraph, the term
2092 “curriculum” means a complete course of study for a particular
2093 content area or grade level, including any required supplemental
2094 materials and associated online instruction.

2095 c. Tuition and fees for part-time tutoring services
2096 provided by a person who holds a baccalaureate or graduate
2097 degree in the subject area; a person who holds an adjunct
2098 teaching certificate pursuant to s. 1012.57; or a person who has



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2099 demonstrated a mastery of subject area knowledge pursuant to s.
2100 1012.56(5).
2101 d. Fees for summer education programs.
2102 e. Fees for after-school education programs.
2103 f. Specialized services by approved providers or by a
2104 hospital in this state which are selected by the parent. These
2105 specialized services may include, but are not limited to:
2106 (I) Applied behavior analysis services as provided in ss.
2107 627.6686 and 641.31098.
2108 (II) Services provided by speech-language pathologists as
2109 defined in s. 468.1125.
2110 (III) Occupational therapy services as defined in s.
2111 468.203.
2112 (IV) Services provided by physical therapists as defined in
2113 s. 486.021.
2114 (V) Services provided by listening and spoken language
2115 specialists and an appropriate acoustical environment for a
2116 child who is deaf or hard of hearing and who has received an
2117 implant or assistive hearing device.
2118
2119 A provider of any services receiving payments pursuant to this
2120 subparagraph may not share any moneys from the reading
2121 scholarship with, or provide a refund or rebate of any moneys
2122 from such scholarship to, the parent or participating student in
2123 any manner. A parent, student, or provider of any services may
2124 not bill an insurance company, Medicaid, or any other agency for
2125 the same services that are paid for using reading scholarship
2126 funds.
2127 (b) The parent is responsible for the payment of all



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2128 eligible expenses in excess of the amount in the account in
2129 accordance with the terms agreed to between the parent and any
2130 providers and may not receive any refund or rebate of any
2131 expenditures made in accordance with paragraph (a).

2132 (4) ADMINISTRATION.—An eligible nonprofit scholarship-
2133 funding organization participating in the Florida Tax Credit
2134 Scholarship Program established by s. 1002.395 may establish
2135 reading scholarship accounts for eligible students in accordance
2136 with the requirements of eligible nonprofit scholarship-funding
2137 organizations under this chapter.

2138 (5) DEPARTMENT OBLIGATIONS.—The department shall have the
2139 same duties imposed by this chapter upon the department
2140 regarding oversight of scholarship programs administered by an
2141 eligible nonprofit scholarship-funding organization.

2142 (6) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.—By
2143 September 30, the school district shall notify the parent of
2144 each student in grades 3 through 5 who scored below a level 3 on
2145 the statewide, standardized ELA assessment in the prior school
2146 year of the process to request and receive a reading
2147 scholarship, subject to available funds.

2148 (7) ACCOUNT FUNDING AND PAYMENT.—

2149 (a) The maximum amount granted for an eligible student
2150 shall be provided in the General Appropriations Act.

2151 (b) One hundred percent of the funds appropriated for the
2152 reading scholarship accounts shall be released to the department
2153 at the beginning of the first quarter of each fiscal year.

2154 (c) Upon notification from the eligible nonprofit
2155 scholarship-funding organization that a student has been
2156 determined eligible for a reading scholarship, the department



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2157 shall release the student's scholarship funds to such
2158 organization to be deposited into the student's account.

2159 (d) Accrued interest in the student's account is in
2160 addition to, and not part of, the awarded funds. Account funds
2161 include both the awarded funds and accrued interest.

2162 (e) The eligible nonprofit scholarship-funding organization
2163 may develop a system for payment of scholarship funds by funds
2164 transfer, including, but not limited to, debit cards, electronic
2165 payment cards, or any other means of payment that the department
2166 deems to be commercially viable or cost-effective. A student's
2167 scholarship award may not be reduced for debit card or
2168 electronic payment fees. Commodities or services related to the
2169 development of such a system shall be procured by competitive
2170 solicitation unless they are purchased from a state term
2171 contract pursuant to s. 287.056.

2172 (f) Payment of the scholarship shall be made by the
2173 eligible nonprofit scholarship-funding organization no less
2174 frequently than on a quarterly basis.

2175 (g) In addition to funds appropriated for scholarships and
2176 subject to a separate, specific legislative appropriation, an
2177 organization may receive an amount equivalent to not more than 3
2178 percent of the amount of each scholarship from state funds for
2179 administrative expenses if the organization has operated as a
2180 nonprofit entity for at least the preceding 3 fiscal years and
2181 did not have any findings of material weakness or material
2182 noncompliance in its most recent audit under s. 1002.395. Such
2183 administrative expenses must be reasonable and necessary for the
2184 organization's management and distribution of scholarships under
2185 this section. Funds authorized under this paragraph may not be



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2186 used for lobbying or political activity or expenses related to
2187 lobbying or political activity. An organization may not charge
2188 an application fee for a scholarship. Administrative expenses
2189 may not be deducted from funds appropriated for scholarships.

2190 (h) Moneys received pursuant to this section do not
2191 constitute taxable income to the qualified student or his or her
2192 parent.

2193 (i) A student's scholarship account must be closed and any
2194 remaining funds shall revert to the state after:

2195 1. Denial or revocation of scholarship eligibility by the
2196 commissioner for fraud or abuse, including, but not limited to,
2197 the student or student's parent accepting any payment, refund,
2198 or rebate, in any manner, from a provider of any services
2199 received pursuant to subsection (3); or

2200 2. Three consecutive fiscal years in which an account has
2201 been inactive.

2202 (8) LIABILITY.—No liability shall arise on the part of the
2203 state based on the award or use of a reading scholarship
2204 account.

2205 Section 18. Present subsection (7) of section 1002.421,
2206 Florida Statutes, is amended and redesignated as subsection
2207 (11), a new subsection (7) and subsections (8), (9), and (10)
2208 are added to that section, and subsection (1), paragraphs (h)
2209 and (i) of subsection (2), and subsections (4) and (5) of that
2210 section are amended, to read:

2211 1002.421 Accountability of private schools participating in
2212 state school choice scholarship programs.—

2213 (1) (a) A Florida private school participating in the
2214 Florida Tax Credit Scholarship Program established pursuant to



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2215 s. 1002.395 or an educational scholarship program established
2216 pursuant to this chapter must comply with all requirements of
2217 this section in addition to private school requirements outlined
2218 in s. 1002.42, specific requirements identified within
2219 respective scholarship program laws, and other provisions of
2220 Florida law that apply to private schools.

2221 (b) For purposes of this section, the term "owner or
2222 operator" includes an owner, operator, superintendent, or
2223 principal of an eligible private school or a person with
2224 equivalent decisionmaking authority over an eligible private
2225 school.

2226 (2) A private school participating in a scholarship program
2227 must be a Florida private school as defined in s. 1002.01(2),
2228 must be registered in accordance with s. 1002.42, and must:

2229 (h) Employ or contract with teachers who:

2230 1. Unless otherwise specified under this paragraph, hold
2231 baccalaureate or higher degrees, have at least 3 years of
2232 teaching experience in public or private schools, or have
2233 objectively identified special skills, knowledge, or expertise
2234 that qualifies them to provide instruction in subjects taught.

2235 2. Hold baccalaureate or higher degrees from a regionally
2236 or nationally accredited college or university in the United
2237 States or from a recognized college or university in another
2238 country. This subparagraph applies to full-time teachers hired
2239 after July 1, 2018, who are teaching students in grade 2 or
2240 above.

2241
2242 The private school must report to the department, in a format
2243 developed by the department, the qualifications of each teacher



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2244 hired by the school, including, but not limited to, an
2245 explanation of the objectively identified special skills or
2246 expertise of such teachers, as applicable. Additionally, the
2247 private school must provide to the parent of each scholarship
2248 student, on the school's website or on a written form provided
2249 by the school, the qualifications of each classroom teacher.

2250 (i) Require each employee and contracted personnel with
2251 direct student contact, upon employment or engagement to provide
2252 services, to undergo a state and national background screening,
2253 pursuant to s. 943.0542, by electronically filing with the
2254 Department of Law Enforcement a complete set of fingerprints
2255 taken by an authorized law enforcement agency or an employee of
2256 the private school, a school district, or a private company who
2257 is trained to take fingerprints and deny employment to or
2258 terminate an employee if he or she fails to meet the screening
2259 standards under s. 435.04. Results of the screening shall be
2260 provided to the participating private school. For purposes of
2261 this paragraph:

2262 1. An "employee or contracted personnel with direct student
2263 contact" means any employee or contracted personnel who has
2264 unsupervised access to a scholarship student for whom the
2265 private school is responsible.

2266 2. The costs of fingerprinting and the background check
2267 shall not be borne by the state.

2268 3. Continued employment of an employee or contracted
2269 personnel after notification that he or she has failed the
2270 background screening under this paragraph shall cause a private
2271 school to be ineligible for participation in a scholarship
2272 program.



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2273 4. An employee or contracted personnel holding a valid
2274 Florida teaching certificate who has been fingerprinted pursuant
2275 to s. 1012.32 and who is not ineligible for employment pursuant
2276 to s. 1012.315 is not required to comply with the provisions of
2277 this paragraph.

2278 (4) A private school that accepts scholarship students
2279 under this chapter ~~s. 1002.39~~ or ~~s. 1002.395~~ must:

2280 (a) Disqualify instructional personnel and school
2281 administrators, as defined in s. 1012.01, from employment in any
2282 position that requires direct contact with students if the
2283 personnel or administrators are ineligible for such employment
2284 under s. 1012.315.

2285 (b) Adopt and faithfully implement policies establishing
2286 standards of ethical conduct for instructional personnel and
2287 school administrators. The policies must require all
2288 instructional personnel and school administrators, as defined in
2289 s. 1012.01, to complete training on the standards; establish the
2290 duty of instructional personnel and school administrators to
2291 report, and procedures for reporting, alleged misconduct by
2292 other instructional personnel and school administrators which
2293 affects the health, safety, or welfare of a student; and include
2294 an explanation of the liability protections provided under ss.
2295 39.203 and 768.095. A private school, or any of its employees,
2296 may not enter into a confidentiality agreement regarding
2297 terminated or dismissed instructional personnel or school
2298 administrators, or personnel or administrators who resign in
2299 lieu of termination, based in whole or in part on misconduct
2300 that affects the health, safety, or welfare of a student, and
2301 may not provide the instructional personnel or school



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2302 administrators with employment references or discuss the
2303 personnel's or administrators' performance with prospective
2304 employers in another educational setting, without disclosing the
2305 personnel's or administrators' misconduct. Any part of an
2306 agreement or contract that has the purpose or effect of
2307 concealing misconduct by instructional personnel or school
2308 administrators which affects the health, safety, or welfare of a
2309 student is void, is contrary to public policy, and may not be
2310 enforced.

2311 (c) Before employing instructional personnel or school
2312 administrators in any position that requires direct contact with
2313 students, conduct employment history checks of each of the
2314 personnel's or administrators' previous employers, screen the
2315 personnel or administrators through use of the educator
2316 screening tools described in s. 1001.10(5), and document the
2317 findings. If unable to contact a previous employer, the private
2318 school must document efforts to contact the employer.

2319
2320 The department shall suspend the payment of funds under this
2321 chapter ss. 1002.39 and 1002.395 to a private school that
2322 knowingly fails or refuses to comply with this subsection, and
2323 shall prohibit the school from enrolling new scholarship
2324 students, for 1 fiscal year and until the school complies.

2325 (5) The failure or refusal ~~inability~~ of a private school to
2326 meet the requirements of this section shall constitute a basis
2327 for the ineligibility of the private school to participate in a
2328 scholarship program as determined by the department.

2329 Additionally, a private school is ineligible to participate in a
2330 state scholarship program under this chapter if the owner or



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2331 operator of the private school was a debtor in a voluntary or
2332 involuntary bankruptcy petition within the most recent 5 years.

2333 (7) (a) The department must annually visit at least 5
2334 percent, and may annually visit up to 7 percent, of the private
2335 schools that participate in the state scholarship programs under
2336 this chapter. Site visits required under subsection (8) are not
2337 included in the annual site visits authorized under this
2338 paragraph.

2339 (b) The purposes of the site visits are to verify
2340 compliance with the provisions of this section aimed at
2341 protecting the health, safety, and welfare of students and to
2342 verify the information reported by the schools concerning the
2343 enrollment and attendance of students, the credentials of
2344 teachers, background screening of teachers, and teachers'
2345 fingerprinting results, as required by rules of the State Board
2346 of Education and this section.

2347 (c) The department may make followup site visits at any
2348 time to any school that has received a notice of noncompliance
2349 or a notice of proposed action within the previous 2 years, or
2350 for a cause that affects the health, safety, and welfare of a
2351 student.

2352 (8) (a) The department shall visit each private school that
2353 notifies the department of the school's intent to participate in
2354 a state scholarship program under this chapter.

2355 (b) The purpose of the site visit is to determine that the
2356 school meets the applicable state and local health, safety, and
2357 welfare codes and rules pursuant to this section.

2358 (9) The Division of State Fire Marshal shall annually
2359 provide to the department a fire safety inspection report,



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2360 prepared by the local fire departments or by entities with whom
2361 they contract to perform fire safety inspections of private
2362 schools, for each private school that participates in a state
2363 scholarship program under this chapter.

2364 (10) If a private school that participates in a state
2365 scholarship program under this chapter receives more than
2366 \$250,000 in funds from the scholarships awarded under this
2367 chapter in a state fiscal year, the school must provide to the
2368 department a report of the balance sheet and statement of income
2369 expenditures in accordance with generally accepted accounting
2370 procedures from an independent certified public accountant who
2371 performs the agreed-upon procedures.

2372 (11)~~(7)~~ The State Board of Education shall adopt rules
2373 pursuant to ss. 120.536(1) and 120.54 to administer and enforce
2374 this section.

2375 Section 19. Section 1002.43, Florida Statutes, is repealed.

2376 Section 20. Paragraph (a) of subsection (2) and paragraph
2377 (d) of subsection (8) of section 1002.45, Florida Statutes, are
2378 amended to read:

2379 1002.45 Virtual instruction programs.—

2380 (2) PROVIDER QUALIFICATIONS.—

2381 (a) The department shall annually publish online a list of
2382 providers approved to offer virtual instruction programs. To be
2383 approved by the department, a provider must document that it:

2384 1. Is nonsectarian in its programs, admission policies,
2385 employment practices, and operations;

2386 2. Complies with the antidiscrimination provisions of s.
2387 1000.05;

2388 3. Locates an administrative office or offices in this



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2389 state, requires its administrative staff to be state residents,
2390 requires all instructional staff to be Florida-certified
2391 teachers under chapter 1012 and conducts background screenings
2392 for all employees or contracted personnel, as required by s.
2393 1012.32, using state and national criminal history records;

2394 4. Provides to parents and students specific information
2395 posted and accessible online that includes, but is not limited
2396 to, the following teacher-parent and teacher-student contact
2397 information for each course:

2398 a. How to contact the instructor via phone, e-mail, or
2399 online messaging tools.

2400 b. How to contact technical support via phone, e-mail, or
2401 online messaging tools.

2402 c. How to contact the administration office via phone, e-
2403 mail, or online messaging tools.

2404 d. Any requirement for regular contact with the instructor
2405 for the course and clear expectations for meeting the
2406 requirement.

2407 e. The requirement that the instructor in each course must,
2408 at a minimum, conduct one contact ~~via phone~~ with the parent and
2409 the student each month;

2410 5. Possesses prior, successful experience offering online
2411 courses to elementary, middle, or high school students as
2412 demonstrated by quantified student learning gains in each
2413 subject area and grade level provided for consideration as an
2414 instructional program option. However, for a provider without
2415 sufficient prior, successful experience offering online courses,
2416 the department may conditionally approve the provider to offer
2417 courses measured pursuant to subparagraph (8) (a)2. Conditional



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2418 approval shall be valid for 1 school year only and, based on the
2419 provider's experience in offering the courses, the department
2420 shall determine whether to grant approval to offer a virtual
2421 instruction program;

2422 6. Is accredited by a regional accrediting association as
2423 defined by State Board of Education rule;

2424 7. Ensures instructional and curricular quality through a
2425 detailed curriculum and student performance accountability plan
2426 that addresses every subject and grade level it intends to
2427 provide through contract with the school district, including:

2428 a. Courses and programs that meet the standards of the
2429 International Association for K-12 Online Learning and the
2430 Southern Regional Education Board.

2431 b. Instructional content and services that align with, and
2432 measure student attainment of, student proficiency in the Next
2433 Generation Sunshine State Standards.

2434 c. Mechanisms that determine and ensure that a student has
2435 satisfied requirements for grade level promotion and high school
2436 graduation with a standard diploma, as appropriate;

2437 8. Publishes for the general public, in accordance with
2438 disclosure requirements adopted in rule by the State Board of
2439 Education, as part of its application as a provider and in all
2440 contracts negotiated pursuant to this section:

2441 a. Information and data about the curriculum of each full-
2442 time and part-time program.

2443 b. School policies and procedures.

2444 c. Certification status and physical location of all
2445 administrative and instructional personnel.

2446 d. Hours and times of availability of instructional



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2447 personnel.

2448 e. Student-teacher ratios.

2449 f. Student completion and promotion rates.

2450 g. Student, educator, and school performance accountability

2451 outcomes;

2452 9. If the provider is a Florida College System institution,

2453 employs instructors who meet the certification requirements for

2454 instructional staff under chapter 1012; and

2455 10. Performs an annual financial audit of its accounts and

2456 records conducted by an independent certified public accountant

2457 which is in accordance with rules adopted by the Auditor

2458 General, is conducted in compliance with generally accepted

2459 auditing standards, and includes a report on financial

2460 statements presented in accordance with generally accepted

2461 accounting principles.

2462 (8) ASSESSMENT AND ACCOUNTABILITY.—

2463 (d) An approved provider's contract is automatically ~~must~~

2464 ~~be~~ terminated if the provider earns two consecutive ~~receives a~~

2465 school grades grade of "D" ~~or~~ "F" under s. 1008.34 after all

2466 school grade appeals are final or receives two consecutive a

2467 school improvement ratings rating of "Unsatisfactory" under s.

2468 1008.341 ~~for 2 years during any consecutive 4-year period~~ or has

2469 violated any qualification requirement pursuant to subsection

2470 (2); however, the State Board of Education may grant the

2471 provider a waiver of termination. A provider that has a contract

2472 terminated under this paragraph may not be an approved provider

2473 for a period of at least 1 year after the date upon which the

2474 contract was terminated and until the department determines that

2475 the provider is in compliance with subsection (2) and has



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2476 corrected each cause of the provider's low performance.

2477 Section 21. Subsection (5) of section 1002.55, Florida
2478 Statutes, is amended to read:

2479 1002.55 School-year prekindergarten program delivered by
2480 private prekindergarten providers.—

2481 (5) (a) Notwithstanding paragraph (3) (b), a private
2482 prekindergarten provider may not participate in the Voluntary
2483 Prekindergarten Education Program if the provider has child
2484 disciplinary policies that do not prohibit children from being
2485 subjected to discipline that is severe, humiliating,
2486 frightening, or associated with food, rest, toileting, spanking,
2487 or any other form of physical punishment as provided in s.
2488 402.305(12).

2489 (b) Notwithstanding any other provision of law, if a
2490 private prekindergarten provider has been cited for a class I
2491 violation, as defined by rule, the coalition may refuse to
2492 contract with the provider.

2493 Section 22. Subsection (13) of section 1003.01, Florida
2494 Statutes, is amended to read:

2495 1003.01 Definitions.—As used in this chapter, the term:

2496 (13) "Regular school attendance" means the actual
2497 attendance of a student during the school day as defined by law
2498 and rules of the State Board of Education. Regular attendance
2499 within the intent of s. 1003.21 may be achieved by a student's
2500 full-time attendance in one of the following options:

2501 (a) A public school supported by public funds, including,
2502 but not limited to, the Florida School for the Deaf and the
2503 Blind, the Florida Virtual School, a developmental research
2504 school, and a charter school established pursuant to chapter



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2505 1002.~~†~~
2506 ~~(b) A parochial, religious, or denominational school;~~
2507 (b)(e) A private school, as defined in s. 1002.01(2) and in
2508 compliance with s. 1002.42, including, but not limited to, a
2509 private parochial, religious, or denominational school; and a
2510 private school supported in whole or in part by tuition charges
2511 or by endowments or gifts. This option includes an eligible
2512 private school in which a student attends as a participant in a
2513 scholarship program, as defined in s. 1002.01(3).~~†~~

2514 ~~(c)(d) A home education program, as defined in s.~~
2515 1002.01(1), which ~~that~~ meets the requirements of chapter 1002.~~†~~
2516 ~~or~~

2517 ~~(e) A private tutoring program that meets the requirements~~
2518 ~~of chapter 1002.~~

2519 Section 23. Paragraph (f) of subsection (1) of section
2520 1003.26, Florida Statutes, is amended to read:

2521 1003.26 Enforcement of school attendance.—The Legislature
2522 finds that poor academic performance is associated with
2523 nonattendance and that school districts must take an active role
2524 in promoting and enforcing attendance as a means of improving
2525 student performance. It is the policy of the state that each
2526 district school superintendent be responsible for enforcing
2527 school attendance of all students subject to the compulsory
2528 school age in the school district and supporting enforcement of
2529 school attendance by local law enforcement agencies. The
2530 responsibility includes recommending policies and procedures to
2531 the district school board that require public schools to respond
2532 in a timely manner to every unexcused absence, and every absence
2533 for which the reason is unknown, of students enrolled in the



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2534 schools. District school board policies shall require the parent
2535 of a student to justify each absence of the student, and that
2536 justification will be evaluated based on adopted district school
2537 board policies that define excused and unexcused absences. The
2538 policies must provide that public schools track excused and
2539 unexcused absences and contact the home in the case of an
2540 unexcused absence from school, or an absence from school for
2541 which the reason is unknown, to prevent the development of
2542 patterns of nonattendance. The Legislature finds that early
2543 intervention in school attendance is the most effective way of
2544 producing good attendance habits that will lead to improved
2545 student learning and achievement. Each public school shall
2546 implement the following steps to promote and enforce regular
2547 school attendance:

2548 (1) CONTACT, REFER, AND ENFORCE.—

2549 (f)1. If the parent of a child who has been identified as
2550 exhibiting a pattern of nonattendance enrolls the child in a
2551 home education program pursuant to chapter 1002, the district
2552 school superintendent shall provide the parent a copy of s.
2553 1002.41 and the accountability requirements of this paragraph.
2554 The district school superintendent shall also refer the parent
2555 to a home education review committee composed of the district
2556 contact for home education programs and at least two home
2557 educators selected by the parent from a district list of all
2558 home educators who have conducted a home education program for
2559 at least 3 years and who have indicated a willingness to serve
2560 on the committee. The home education review committee shall
2561 review the portfolio of the student, as defined by s. 1002.41,
2562 every 30 days during the district's regular school terms until



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2563 the committee is satisfied that the home education program is in
2564 compliance with s. 1002.41(1)(b). The first portfolio review
2565 must occur within the first 30 calendar days of the
2566 establishment of the program. The provisions of subparagraph 2.
2567 do not apply once the committee determines the home education
2568 program is in compliance with s. 1002.41(1)(b).

2569 2. If the parent fails to provide a portfolio to the
2570 committee, the committee shall notify the district school
2571 superintendent. The district school superintendent shall then
2572 terminate the home education program and require the parent to
2573 enroll the child in an attendance option that meets the
2574 definition of "regular school attendance" under s.
2575 1003.01(13)(a) or (b) ~~s. 1003.01(13)(a), (b), (c), or (e),~~
2576 within 3 days. Upon termination of a home education program
2577 pursuant to this subparagraph, the parent shall not be eligible
2578 to reenroll the child in a home education program for 180
2579 calendar days. Failure of a parent to enroll the child in an
2580 attendance option as required by this subparagraph after
2581 termination of the home education program pursuant to this
2582 subparagraph shall constitute noncompliance with the compulsory
2583 attendance requirements of s. 1003.21 and may result in criminal
2584 prosecution under s. 1003.27(2). Nothing contained herein shall
2585 restrict the ability of the district school superintendent, or
2586 the ability of his or her designee, to review the portfolio
2587 pursuant to s. 1002.41(1)(b).

2588 Section 24. Paragraph (d) of subsection (2) of section
2589 1003.41, Florida Statutes, is amended and paragraph (f) is added
2590 to that subsection, to read:

2591 1003.41 Next Generation Sunshine State Standards.—



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2592 (2) Next Generation Sunshine State Standards must meet the
2593 following requirements:

2594 (d) Social Studies standards must establish specific
2595 curricular content for, at a minimum, geography, United States
2596 and world history, government, civics, humanities, and
2597 economics, including financial literacy. Financial literacy
2598 includes the knowledge, understanding, skills, behaviors,
2599 attitudes, and values that will enable a student to make
2600 responsible and effective financial decisions on a daily basis.
2601 Financial literacy instruction shall be an integral part of
2602 instruction throughout the entire economics course and include
2603 information regarding earning income; buying goods and services;
2604 saving and financial investing; taxes; the use of credit and
2605 credit cards; budgeting and debt management, including student
2606 loans and secured loans; banking and financial services;
2607 planning for one's financial future, including higher education
2608 and career planning; credit reports and scores; and fraud and
2609 identity theft prevention. The requirements for financial
2610 literacy specified under this paragraph do not apply to students
2611 entering grade 9 in the 2018-2019 school year and thereafter.

2612 (f) Effective for students entering grade 9 in the 2018-
2613 2019 school year and thereafter, financial literacy standards
2614 must establish specific curricular content for, at a minimum,
2615 personal financial literacy and money management. Financial
2616 literacy includes instruction in the areas specified in s.
2617 1003.4282(3)(h).

2618 Section 25. Paragraphs (d) and (g) of subsection (3) of
2619 section 1003.4282, Florida Statutes, are amended, and paragraph
2620 (h) is added to that subsection, to read:



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2621 1003.4282 Requirements for a standard high school diploma.—

2622 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT
2623 REQUIREMENTS.—

2624 (d) *Three credits in social studies.*—A student must earn
2625 one credit in United States History; one credit in World
2626 History; one-half credit in economics, which must include
2627 financial literacy; and one-half credit in United States
2628 Government. The United States History EOC assessment constitutes
2629 30 percent of the student's final course grade. However, for a
2630 student entering grade 9 in the 2018-2019 school year or
2631 thereafter, financial literacy is not a required component of
2632 the one-half credit in economics.

2633 (g) ~~Eight~~ *Credits in Electives.*—School districts must
2634 develop and offer coordinated electives so that a student may
2635 develop knowledge and skills in his or her area of interest,
2636 such as electives with a STEM or liberal arts focus. Such
2637 electives must include opportunities for students to earn
2638 college credit, including industry-certified career education
2639 programs or series of career-themed courses that result in
2640 industry certification or articulate into the award of college
2641 credit, or career education courses for which there is a
2642 statewide or local articulation agreement and which lead to
2643 college credit. A student entering grade 9 before the 2018-2019
2644 school year must earn eight credits in electives. A student
2645 entering grade 9 in the 2018-2019 school year or thereafter must
2646 earn seven and one-half credits in electives.

2647 (h) *One-half credit in personal financial literacy.*—
2648 Beginning with students entering grade 9 in the 2018-2019 school
2649 year, each student shall earn one-half credit in personal



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2650 financial literacy and money management. This instruction must
2651 include discussion of or instruction in the following:

2652 1. Types of bank accounts offered, opening and managing a
2653 bank account, and assessing the quality of a depository
2654 institution's services.

2655 2. Balancing a checkbook.

2656 3. Basic principles of money management, such as spending,
2657 credit, credit scores, and managing debt, including retail and
2658 credit card debt.

2659 4. Completing a loan application.

2660 5. Receiving an inheritance and related implications.

2661 6. Basic principles of personal insurance policies.

2662 7. Computing federal income taxes.

2663 8. Local tax assessments.

2664 9. Computing interest rates by various mechanisms.

2665 10. Simple contracts.

2666 11. Contesting an incorrect billing statement.

2667 12. Types of savings and investments.

2668 13. State and federal laws concerning finance.

2669 Section 26. Subsection (4) is added to section 1003.44,
2670 Florida Statutes, to read:

2671 1003.44 Patriotic programs; rules.—

2672 (4) Each district school board shall adopt rules to
2673 require, in all of the schools of the district and in each
2674 building used by the district school board, the display of the
2675 state motto, "In God We Trust," designated under s. 15.0301, in
2676 a conspicuous place.

2677 Section 27. Subsection (3) of section 1003.453, Florida
2678 Statutes, is amended to read:



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2679 1003.453 School wellness and physical education policies;
2680 nutrition guidelines.—

2681 (3) School districts are encouraged to provide basic
2682 training in first aid, ~~including cardiopulmonary resuscitation,~~
2683 for all students, beginning in grade 6 and every 2 years
2684 thereafter. Private and public partnerships for providing
2685 training or necessary funding are encouraged.

2686 Section 28. Section 1003.457, Florida Statutes, is created
2687 to read:

2688 1003.457 Instruction in cardiopulmonary resuscitation.—

2689 (1) Each school district shall provide instruction in
2690 cardiopulmonary resuscitation (CPR) and the use of an automated
2691 external defibrillator. Students shall study and practice the
2692 psychomotor skills associated with performing CPR at least once
2693 before graduating from high school. The instruction shall be a
2694 part of the physical education curriculum or another required
2695 curriculum selected by the school district.

2696 (2) The instruction shall be based on an instructional
2697 program established by:

2698 (a) The American Heart Association;

2699 (b) The American Red Cross; or

2700 (c) Another nationally recognized program that uses the
2701 most current evidence-based emergency cardiovascular care
2702 guidelines.

2703 (3) A student with a disability, as defined in s. 1007.02,
2704 is exempt from the requirements of this section.

2705 Section 29. Section 1006.05, Florida Status, is created to
2706 read:

2707 1006.05 Mental health assistance allocation



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2708 specifications.—Pursuant to s. 1011.62(17), the mental health
2709 assistance allocation is created to provide supplemental funding
2710 to assist school districts and charter schools in establishing
2711 or expanding comprehensive mental health programs that increase
2712 awareness of mental health issues among children and school-age
2713 youth; to train educators and other school staff in detecting
2714 and responding to mental health issues; and to connect children,
2715 youth, and families who may experience behavioral or mental
2716 health issues with appropriate services.

2717 (1) Funding provided pursuant to s. 1011.62(17) shall be
2718 allocated in accordance with the following:

2719 (a) Before the distribution of the allocation:

2720 1. The district must annually develop and submit a detailed
2721 plan outlining the local program and planned expenditures to the
2722 district school board for approval.

2723 2. A charter school must annually develop and submit a
2724 detailed plan outlining the local program and planned
2725 expenditures of the funds in the plan to its governing body for
2726 approval. After the plan is approved by the governing body, it
2727 must be provided to its school district for submission to the
2728 commissioner.

2729 (b) The plans required under paragraph (a) must include, at
2730 a minimum, the elements in subparagraphs 1., 2., and 3., and the
2731 districts and charter schools are strongly encouraged to include
2732 in their respective plans the elements specified in
2733 subparagraphs 4., 5., and 6., as follows:

2734 1. A contract or a memorandum of understanding with at
2735 least one local nationally accredited community behavioral
2736 health provider or a provider of Community Action Team services



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2737 to provide a behavioral health staff presence and services at
2738 district schools. Services may include, but are not limited to,
2739 mental health screenings and assessments, individual counseling,
2740 family counseling, group counseling, psychiatric or
2741 psychological services, trauma-informed care, mobile crisis
2742 services, and behavior modification. These behavioral health
2743 services may be provided on or off the school campus and may be
2744 supplemented by telehealth;

2745 2. Training opportunities in Mental Health First Aid or
2746 other similar nationally recognized evidence-based training
2747 programs for all school personnel who have contact with
2748 students. The training must cover risk factors and warning signs
2749 for mental health and addiction concerns, strategies for
2750 providing assistance to individuals in both crisis and non-
2751 crisis situations, and the use of referral mechanisms that
2752 effectively link individuals to appropriate treatment and
2753 intervention services in the school and in the community. Topics
2754 covered should include depression and mood disorders, anxiety
2755 disorders, trauma, psychosis, substance use disorders, and
2756 suicide prevention;

2757 3. A mental health crisis intervention strategy that
2758 provides for prompt resolution of identified, immediate threats
2759 within district schools, including Baker Act referrals and
2760 notification of law enforcement personnel, as appropriate;

2761 4. Programs to assist students in dealing with anxiety,
2762 depression, bullying, trauma, and violence;

2763 5. Strategies or programs to reduce the likelihood of at-
2764 risk students developing social, emotional, or behavioral health
2765 problems; suicidal tendencies; or substance use disorders; and



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2766 6. Strategies to improve the early identification of
2767 social, emotional, or behavioral problems or substance use
2768 disorders and to improve the provision of early intervention
2769 services.

2770 (c) The districts shall submit approved plans to the
2771 commissioner by August 1 of each year.

2772 (2) Beginning September 30, 2019, and by each September 30
2773 thereafter, each entity that receives an allocation under this
2774 section shall submit to the commissioner, in a format prescribed
2775 by the department, a final report on its program outcomes and
2776 its expenditures for each element of the program. At a minimum,
2777 the report must include the number of each of the following:

2778 (a) Students who receive screenings or assessments.

2779 (b) Students who are referred for services or assistance.

2780 (c) Students who receive services or assistance.

2781 (d) Parents or guardians notified.

2782 (e) School personnel who are trained to engage in the
2783 services, techniques, strategies, or programs identified in the
2784 plan required under this subsection.

2785 Section 30. Section 1006.061, Florida Statutes, is amended
2786 to read:

2787 1006.061 Child abuse, abandonment, and neglect policy.—Each
2788 district school board, charter school, and private school that
2789 accepts scholarship students under s. 1002.385, s. 1002.39, ~~or~~
2790 s. 1002.395, or another state scholarship program under chapter
2791 1002 shall:

2792 (1) Post in a prominent place in each school a notice that,
2793 pursuant to chapter 39, all employees and agents of the district
2794 school board, charter school, or private school have an



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2795 affirmative duty to report all actual or suspected cases of
2796 child abuse, abandonment, or neglect; have immunity from
2797 liability if they report such cases in good faith; and have a
2798 duty to comply with child protective investigations and all
2799 other provisions of law relating to child abuse, abandonment,
2800 and neglect. The notice shall also include the statewide toll-
2801 free telephone number of the central abuse hotline.

2802 (2) Post in a prominent place at each school site and on
2803 each school's Internet website, if available, the policies and
2804 procedures for reporting alleged misconduct by instructional
2805 personnel or school administrators which affects the health,
2806 safety, or welfare of a student; the contact person to whom the
2807 report is made; and the penalties imposed on instructional
2808 personnel or school administrators who fail to report suspected
2809 or actual child abuse or alleged misconduct by other
2810 instructional personnel or school administrators.

2811 (3) Require the principal of the charter school or private
2812 school, or the district school superintendent, or the
2813 superintendent's designee, at the request of the Department of
2814 Children and Families, to act as a liaison to the Department of
2815 Children and Families and the child protection team, as defined
2816 in s. 39.01, when in a case of suspected child abuse,
2817 abandonment, or neglect or an unlawful sexual offense involving
2818 a child the case is referred to such a team; except that this
2819 does not relieve or restrict the Department of Children and
2820 Families from discharging its duty and responsibility under the
2821 law to investigate and report every suspected or actual case of
2822 child abuse, abandonment, or neglect or unlawful sexual offense
2823 involving a child.



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2824 (4) (a) Post in a prominent place in a clearly visible
2825 location and public area of the school which is readily
2826 accessible to and widely used by students a sign in English and
2827 Spanish that contains:

2828 1. The statewide toll-free telephone number of the central
2829 abuse hotline as provided in chapter 39;

2830 2. Instructions to call 911 for emergencies; and

2831 3. Directions for accessing the Department of Children and
2832 Families Internet website for more information on reporting
2833 abuse, neglect, and exploitation.

2834 (b) The information in paragraph (a) must be put on at
2835 least one poster in each school, on a sheet that measures at
2836 least 11 inches by 17 inches, produced in large print, and
2837 placed at student eye level for easy viewing.

2838
2839 The Department of Education shall develop, and publish on the
2840 department's Internet website, sample notices suitable for
2841 posting in accordance with subsections (1), (2), and (4).

2842 Section 31. Subsections (4) and (6) of section 1006.07,
2843 Florida Statutes, are amended, and subsection (7) is added to
2844 that section, to read:

2845 1006.07 District school board duties relating to student
2846 discipline and school safety.—The district school board shall
2847 provide for the proper accounting for all students, for the
2848 attendance and control of students at school, and for proper
2849 attention to health, safety, and other matters relating to the
2850 welfare of students, including:

2851 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

2852 (a) Formulate and prescribe policies and procedures for



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2853 emergency drills and for actual emergencies, including, but not
2854 limited to, fires, natural disasters, hostage and active shooter
2855 situations, and bomb threats, for all the public schools of the
2856 district which comprise grades K-12. District school board
2857 policies shall include commonly used alarm system responses for
2858 specific types of emergencies and verification by each school
2859 that drills have been provided as required by law and fire
2860 protection codes. The emergency response agency that is
2861 responsible for notifying the school district for each type of
2862 emergency must be listed in the district's emergency response
2863 policy.

2864 (b) Establish model emergency management and emergency
2865 preparedness procedures, including emergency notification
2866 procedures pursuant to paragraph (a), for the following life-
2867 threatening emergencies:

2868 1. Weapon-use, and hostage, and active shooter situations.
2869 The active shooter situation training for each school must be
2870 conducted by the law enforcement agency or agencies that are
2871 designated as first responders to the school's campus.

2872 2. Hazardous materials or toxic chemical spills.

2873 3. Weather emergencies, including hurricanes, tornadoes,
2874 and severe storms.

2875 4. Exposure as a result of a manmade emergency.

2876 (6) SAFETY AND SECURITY BEST PRACTICES.—Each school
2877 district shall: Use the Safety and Security Best Practices
2878 developed by the Office of Program Policy Analysis and
2879 Government Accountability to

2880 (a) Conduct security risk assessments at each public school
2881 and conduct a self-assessment of the school districts' current



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2882 safety and security practices using a format prescribed by the
2883 department. Based on these ~~self-assessment~~ findings, the
2884 district school superintendent shall provide recommendations to
2885 the district school board which identify strategies and
2886 activities that the district school board should implement in
2887 order to improve school safety and security. Annually each
2888 district school board must receive such findings and the
2889 superintendent's recommendations ~~the self-assessment results~~ at
2890 a publicly noticed district school board meeting to provide the
2891 public an opportunity to hear the district school board members
2892 discuss and take action on the ~~report~~ findings and
2893 recommendations. Each district school superintendent shall
2894 report such findings ~~the self-assessment results~~ and school
2895 board action to the commissioner within 30 days after the
2896 district school board meeting.

2897 (b) Using a format prescribed by the department, develop a
2898 plan that includes having a secure, single point of entry onto
2899 school grounds.

2900 (7) SAFETY IN CONSTRUCTION PLANNING.—A district school
2901 board or private school principal or governing board must allow
2902 the law enforcement agency or agencies that are designated as
2903 first responders to the school's or district's campus to tour
2904 such campus once every 3 years. Any changes related to school
2905 safety and emergency issues recommended by a law enforcement
2906 agency based on a campus tour must be documented by the district
2907 school board or private school principal or governing board.

2908 Section 32. Subsection (1) and paragraph (b) of subsection
2909 (2) section 1006.12, Florida Statutes, are amended to read:
2910 1006.12 School resource officers and school safety



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2911 officers.-

2912 (1) District school boards shall ~~may~~ establish school
2913 resource officer programs, through a cooperative agreement with
2914 law enforcement agencies or in accordance with subsection (2).

2915 (a) School resource officers shall be certified law
2916 enforcement officers, as defined in s. 943.10(1), who are
2917 employed by a law enforcement agency as defined in s. 943.10(4).
2918 The powers and duties of a law enforcement officer shall
2919 continue throughout the employee's tenure as a school resource
2920 officer.

2921 (b) School resource officers shall abide by district school
2922 board policies and shall consult with and coordinate activities
2923 through the school principal, but shall be responsible to the
2924 law enforcement agency in all matters relating to employment,
2925 subject to agreements between a district school board and a law
2926 enforcement agency. Activities conducted by the school resource
2927 officer which are part of the regular instructional program of
2928 the school shall be under the direction of the school principal.

2929 (2)

2930 (b) A district school board shall ~~may~~ commission one or
2931 more school safety officers for the protection and safety of
2932 school personnel, property, and students at each district school
2933 facility within the school district. The district school
2934 superintendent may recommend and the district school board may
2935 appoint one or more school safety officers.

2936 Section 33. Subsection (13) and paragraph (b) of subsection
2937 (24) of section 1007.271, Florida Statutes, are amended to read:
2938 1007.271 Dual enrollment programs.-

2939 (13) (a) The dual enrollment program for a home education



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2940 student, including, but not limited to, students with
2941 disabilities, consists of the enrollment of an eligible home
2942 education secondary student in a postsecondary course creditable
2943 toward an associate degree, a career certificate, or a
2944 baccalaureate degree. To participate in the dual enrollment
2945 program, an eligible home education secondary student must:

2946 1. Provide proof of enrollment in a home education program
2947 pursuant to s. 1002.41.

2948 2. Be responsible for his or her own ~~instructional~~
2949 ~~materials~~ and transportation unless provided for in the
2950 articulation agreement.

2951 3. Sign a home education articulation agreement pursuant to
2952 paragraph (b).

2953 (b) Each postsecondary institution eligible to participate
2954 in the dual enrollment program pursuant to s. 1011.62(1)(i) must
2955 enter into a home education articulation agreement with each
2956 home education student seeking enrollment in a dual enrollment
2957 course and the student's parent. By August 1 of each year, the
2958 eligible postsecondary institution shall complete and submit the
2959 home education articulation agreement to the Department of
2960 Education. The home education articulation agreement must
2961 include, at a minimum:

2962 1. A delineation of courses and programs available to
2963 dually enrolled home education students. Courses and programs
2964 may be added, revised, or deleted at any time by the
2965 postsecondary institution.

2966 2. The initial and continued eligibility requirements for
2967 home education student participation, not to exceed those
2968 required of other dually enrolled students.



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2969 3. The student's responsibilities for providing his or her
2970 own ~~instructional materials and~~ transportation.

2971 4. A copy of the statement on transfer guarantees developed
2972 by the Department of Education under subsection (15).

2973 (24)

2974 (b) Each public postsecondary institution eligible to
2975 participate in the dual enrollment program pursuant to s.
2976 1011.62(1)(i) must enter into a private school articulation
2977 agreement with each eligible private school in its geographic
2978 service area seeking to offer dual enrollment courses to its
2979 students, including, but not limited to, students with
2980 disabilities. By August 1 of each year, the eligible
2981 postsecondary institution shall complete and submit the private
2982 school articulation agreement to the Department of Education.
2983 The private school articulation agreement must include, at a
2984 minimum:

2985 1. A delineation of courses and programs available to the
2986 private school student. The postsecondary institution may add,
2987 revise, or delete courses and programs at any time.

2988 2. The initial and continued eligibility requirements for
2989 private school student participation, not to exceed those
2990 required of other dual enrollment students.

2991 3. The student's responsibilities for providing his or her
2992 own instructional materials and transportation.

2993 4. A provision clarifying that the private school will
2994 award appropriate credit toward high school completion for the
2995 postsecondary course under the dual enrollment program.

2996 5. A provision expressing that costs associated with
2997 tuition and fees, including registration, and laboratory fees,



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2998 will not be passed along to the student or the private school
2999 that the student attends.

3000 ~~6. A provision stating whether the private school will~~
3001 ~~compensate the postsecondary institution for the standard~~
3002 ~~tuition rate per credit hour for each dual enrollment course~~
3003 ~~taken by its students.~~

3004 Section 34. Section 1007.273, Florida Statutes, is amended
3005 to read:

3006 1007.273 Structured high school acceleration programs
3007 ~~Collegiate high school program.-~~

3008 ~~(1)~~ Each Florida College System institution shall work with
3009 each district school board in its designated service area to
3010 establish one or more structured programs, including, but not
3011 limited to, collegiate high school programs. As used in this
3012 section, the term "structured program" means a structured high
3013 school acceleration program.

3014 ~~(1)(2)~~ PURPOSE.-At a minimum, structured collegiate high
3015 ~~school~~ programs must include an option for public school
3016 students in grade 11 or grade 12 participating in the structured
3017 program, for at least 1 full school year, to earn CAPE industry
3018 certifications pursuant to s. 1008.44, and to successfully
3019 complete at least 30 credit hours through the dual enrollment
3020 program under s. 1007.271. The structured program must
3021 prioritize dual enrollment courses that are applicable toward
3022 general education core courses or common prerequisite course
3023 requirements under s. 1007.25 over dual enrollment courses
3024 applicable as electives toward at least the first year of
3025 college for an associate degree or baccalaureate degree while
3026 enrolled in the structured program. A district school board may



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3027 not limit the number of eligible public school students who may
3028 enroll in such structured programs.

3029 (2)(3) REQUIRED STRUCTURED PROGRAM CONTRACTS.—

3030 (a) Each district school board and its local Florida
3031 College System institution shall execute a contract to establish
3032 one or more structured ~~collegiate high school~~ programs at a
3033 mutually agreed upon location or locations. ~~Beginning with the~~
3034 ~~2015-2016 school year,~~ If the local Florida College System
3035 institution does not establish a structured program with a
3036 district school board in its designated service area, another
3037 Florida College System institution may execute a contract with
3038 that district school board to establish the structured program.
3039 The contract must be executed by January 1 of each school year
3040 for implementation of the structured program during the next
3041 school year. By August 1, 2018, a contract entered into before
3042 January 1, 2018, for the 2018-2019 school year must be modified
3043 to include the provisions of paragraph (b).

3044 (b) The contract must:

3045 1.~~(a)~~ Identify the grade levels to be included in the
3046 structured ~~collegiate high school~~ program; ~~which must, at a~~
3047 minimum, ~~include grade 12.~~

3048 2.~~(b)~~ Describe the structured ~~collegiate high school~~
3049 program, including a list of the meta-major academic pathways
3050 approved pursuant to s. 1008.30(4), which are available to
3051 participating students through the partner Florida College
3052 System institution or other eligible partner postsecondary
3053 institutions; the delineation of courses that must, at a
3054 minimum, include general education core courses and common
3055 prerequisite course requirements pursuant to s. 1007.25; ~~and~~



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3056 industry certifications offered, including online course
3057 availability; the high school and college credits earned for
3058 each postsecondary course completed and industry certification
3059 earned; student eligibility criteria; and the enrollment process
3060 and relevant deadlines;~~;~~

3061 ~~3.(e)~~ Describe the methods, medium, and process by which
3062 students and their parents are annually informed about the
3063 availability of the structured ~~collegiate high school~~ program,
3064 the return on investment associated with participation in the
3065 structured program, and the information described in
3066 subparagraphs 1. and 2.; ~~paragraphs (a) and (b).~~

3067 ~~4.(d)~~ Identify the delivery methods for instruction and the
3068 instructors for all courses;~~;~~

3069 ~~5.(e)~~ Identify student advising services and progress
3070 monitoring mechanisms;~~;~~

3071 ~~6.(f)~~ Establish a program review and reporting mechanism
3072 regarding student performance outcomes; and~~.~~

3073 ~~7.(g)~~ Describe the terms of funding arrangements to
3074 implement the structured ~~collegiate high school~~ program pursuant
3075 to paragraph (5) (a).

3076 (3) STUDENT PERFORMANCE CONTRACT AND NOTIFICATION.-

3077 (a)~~(4)~~ Each student participating in a structured
3078 ~~collegiate high school~~ program must enter into a student
3079 performance contract which must be signed by the student, the
3080 parent, and a representative of the school district and the
3081 applicable Florida College System institution, state university,
3082 or other institution participating pursuant to subsection (4)
3083 ~~(5)~~. The performance contract must, at a minimum, specify
3084 ~~include~~ the schedule of courses, by semester, and industry



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3085 | certifications to be taken by the student, if any; student
3086 | attendance requirements; ~~and~~ course grade requirements; and the
3087 | applicability of such courses to an associate degree or a
3088 | baccalaureate degree.

3089 | (b) By September 1 of each school year, each district
3090 | school board must notify each student enrolled in grades 9, 10,
3091 | 11, and 12 in a public school within the school district about
3092 | the structured program, including, but not limited to:

3093 | 1. The method for earning college credit through
3094 | participation in the structured program. The notification must
3095 | include website links to the dual enrollment course equivalency
3096 | list approved by the State Board of Education; the common degree
3097 | program prerequisite requirements published by the Articulation
3098 | Coordinating Committee pursuant to s. 1007.01(3)(f); the
3099 | industry certification articulation agreements adopted by the
3100 | State Board of Education in rule; and the approved meta-major
3101 | academic pathways of the partner Florida College System
3102 | institution and other eligible partner postsecondary
3103 | institutions participating pursuant to subsection (4); and

3104 | 2. The estimated cost savings to students and their
3105 | families resulting from students successfully completing 30
3106 | credit hours applicable toward general education core courses or
3107 | common prerequisite course requirements before graduating from
3108 | high school versus the cost of earning such credit hours after
3109 | graduating from high school.

3110 | (4) ~~(5)~~ AUTHORIZED STRUCTURED PROGRAM CONTRACTS.—In addition
3111 | to executing a contract with the local Florida College System
3112 | institution under this section, a district school board may
3113 | execute a contract to establish a structured eollegiate high



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3114 ~~school~~ program with a state university or an institution that is
3115 eligible to participate in the William L. Boyd, IV, Florida
3116 Resident Access Grant Program, that is a nonprofit independent
3117 college or university located and chartered in this state, and
3118 that is accredited by the Commission on Colleges of the Southern
3119 Association of Colleges and Schools to grant baccalaureate
3120 degrees. Such university or institution must meet the
3121 requirements specified under subsections (2) ~~(3)~~ and (3). A
3122 charter school may execute a contract directly with the local
3123 Florida College System institution or another institution as
3124 authorized under this section to establish a structured program
3125 at a mutually agreed upon location ~~(4)~~.

3126 (5) FUNDING.—

3127 (a) ~~(6)~~ The structured collegiate high school program shall
3128 be funded pursuant to ss. 1007.271 and 1011.62. The State Board
3129 of Education shall enforce compliance with this section by
3130 withholding the transfer of funds for the school districts ~~and~~
3131 ~~the Florida College System institutions~~ in accordance with s.
3132 1008.32. Annually, by December 31, the State Board of Education
3133 shall enforce compliance with this section by withholding the
3134 transfer of funds for the Florida College System institutions in
3135 accordance with s. 1008.32

3136 (b) A student who enrolls in the structured program and
3137 successfully completes at least 30 college credit hours during a
3138 school year through the dual enrollment program under s.
3139 1007.271 generates a 0.5 full-time equivalent (FTE) bonus. A
3140 student who enrolls in the structured program and successfully
3141 completes an additional 30 college credit hours during a school
3142 year, resulting in at least 60 college credit hours through the



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3143 dual enrollment program under s. 1007.271 applicable toward
3144 fulfilling the requirements for an associate in arts degree or
3145 an associate in science degree or a baccalaureate degree
3146 pursuant to the student performance contract under subsection
3147 (3), before graduating from high school, generates an additional
3148 0.5 FTE bonus. Each district school board that is a contractual
3149 partner with a Florida College System institution or other
3150 eligible postsecondary institution shall report to the
3151 commissioner the total FTE bonus for each structured program for
3152 the students from that school district. The total FTE bonus
3153 shall be added to each school district's total weighted FTE for
3154 funding in the subsequent fiscal year.

3155 (c) For any industry certification a student attains under
3156 this section, the FTE bonus shall be calculated and awarded in
3157 accordance with s. 1011.62(1)(o).

3158 (6) REPORTING REQUIREMENTS.-

3159 (a) By September 1 of each school year, each district
3160 school superintendent shall report to the commissioner, at a
3161 minimum, the following information on each structured program
3162 administered during the prior school year:

3163 1. The number of students in public schools within the
3164 school district who enrolled in the structured program, and the
3165 partnering postsecondary institutions pursuant to subsections
3166 (2) and (4);

3167 2. The total and average number of dual enrollment courses
3168 completed, high school and college credits earned, standard high
3169 school diplomas and associate and baccalaureate degrees awarded,
3170 and the number of industry certifications attained, if any, by
3171 the students who enrolled in the structured program;



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3172 3. The projected student enrollment in the structured
3173 program during the next school year; and

3174 4. Any barriers to executing contracts to establish one or
3175 more structured programs.

3176 (b) By November 30 of each school year, the commissioner
3177 must report to the Governor, the President of the Senate, and
3178 the Speaker of the House of Representatives the status of
3179 structured programs, including, at a minimum, a summary of
3180 student enrollment and completion information pursuant to this
3181 subsection; barriers, if any, to establishing such programs; and
3182 recommendations for expanding access to such programs statewide.

3183 Section 35. Paragraph (c) of subsection (3) and subsection
3184 (4) of section 1008.33, Florida Statutes, are amended to read:

3185 1008.33 Authority to enforce public school improvement.—

3186 (3)

3187 (c) The state board shall adopt by rule a differentiated
3188 matrix of intervention and support strategies for assisting
3189 traditional public schools identified under this section and
3190 rules for implementing s. 1002.33(9)(n), relating to charter
3191 schools.

3192 1. The intervention and support strategies must address
3193 efforts to improve student performance through one or more of
3194 the following strategies: ~~and may include~~

3195 a. Improvement planning;

3196 b. Leadership quality improvement;

3197 c. Educator quality improvement;

3198 d. Professional development;

3199 e. Curriculum review, pacing, and alignment across grade
3200 levels to improve background knowledge in social studies,



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3201 science, and the arts; and

3202 f. The use of continuous improvement and monitoring plans
3203 and processes.

3204 2. ~~In addition,~~ The state board may prescribe reporting
3205 requirements to review and monitor the progress of the schools.
3206 The rule must define the intervention and support strategies for
3207 school improvement for schools earning a grade of "D" or "F" and
3208 the roles for the district and department.

3209 (4) (a) The state board shall apply intensive intervention
3210 and support strategies tailored to the needs of schools earning
3211 two consecutive grades of "D" or a grade of "F." In the first
3212 full school year after a school initially earns two consecutive
3213 grades of "D" or a grade of "F," the school district must
3214 immediately implement intervention and support strategies
3215 prescribed in rule under paragraph (3) (c) and, by September 1,
3216 provide the department with the memorandum of understanding
3217 negotiated pursuant to s. 1001.42(21) and, by October 1, a
3218 district-managed turnaround plan for approval by the state
3219 board. The district-managed turnaround plan may include a
3220 proposal for the district to implement an extended school day, a
3221 summer program, or a combination of an extended school day and
3222 summer program. Upon approval by the state board, the school
3223 district must implement the plan for the remainder of the school
3224 year and continue the plan for 1 full school year. The state
3225 board may allow a school an additional year of implementation
3226 before the school must implement a turnaround option required
3227 under paragraph (b) if it determines that the school is likely
3228 to improve to a grade of "C" or higher after the first full
3229 school year of implementation.



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3230 (b) Unless an additional year of implementation is provided
3231 pursuant to paragraph (a), a school that has completed 2 school
3232 years of a district-managed turnaround plan required under
3233 paragraph (a) and has not improved its school grade to a "C" or
3234 higher, pursuant to s. 1008.34, earns three consecutive grades
3235 below a "C" must implement one of the following options:

3236 1. Reassign students to another school and monitor the
3237 progress of each reassigned student. ~~†~~

3238 2. Close the school and reopen the school as one or more
3239 charter schools, each with a governing board that has a
3240 demonstrated record of effectiveness. Such charter schools are
3241 eligible for funding from the hope supplemental services
3242 allocation established by s. 1011.62(16). ~~† or~~

3243 3. Contract with an outside entity that has a demonstrated
3244 record of effectiveness to operate the school. An outside entity
3245 may include:

3246 a. A district-managed charter school in which all
3247 instructional personnel are not employees of the school
3248 district, but are employees of an independent governing board
3249 composed of members who did not participate in the review or
3250 approval of the charter. A district-managed charter school is
3251 eligible for funding from the hope supplemental services
3252 allocation established by s. 1011.62(16); or

3253 b. A hope operator that submits to a school district a
3254 notice of intent of a performance-based agreement pursuant to s.
3255 1002.333. A school of hope established pursuant to this sub-
3256 paragraph is eligible for funding from the hope supplemental
3257 services allocation for up to 5 years, beginning in the school
3258 year in which the school of hope is established, if the school



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3259 of hope:

3260 (I) Is established at the district-owned facilities of the
3261 persistently low-performing school;

3262 (II) Gives priority enrollment to students who are enrolled
3263 in, or are eligible to attend and are living in the attendance
3264 area of, the persistently low-performing school that the school
3265 of hope operates, consistent with the enrollment lottery
3266 exemption provided under s. 1002.333(5) (c); and

3267 (III) Meets the requirements of its performance-based
3268 agreement pursuant to s. 1002.333.

3269 4. Implement a franchise model school in which a highly
3270 effective principal, pursuant to s. 1012.34, leads the
3271 persistently low-performing school in addition to the
3272 principal's currently assigned school. The franchise model
3273 school principal may allocate resources and personnel between
3274 the schools he or she leads. The persistently low-performing
3275 school is eligible for funding from the hope supplemental
3276 services allocation established under s. 1011.62(16).

3277 (c) Implementation of the turnaround option is no longer
3278 required if the school improves to a grade of "C" or higher.

3279 (d) If a school ~~earning two consecutive grades of "D" or a~~
3280 ~~grade of "F"~~ does not improve to a grade of "C" or higher after
3281 2 full school years of implementing the turnaround option
3282 selected by the school district under paragraph (b), the school
3283 district must implement another turnaround option.

3284 Implementation of the turnaround option must begin the school
3285 year following the implementation period of the existing
3286 turnaround option, unless the state board determines that the
3287 school is likely to improve to a grade of "C" or higher if



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3288 additional time is provided to implement the existing turnaround
3289 option.

3290 Section 36. Present subsections (16) and (17) of section
3291 1011.62, Florida Statutes, are redesignated as subsections (19)
3292 and (20), respectively, new subsections (16) and (17) and
3293 subsection (18) are added to that section, and paragraphs (o)
3294 and (t) of subsection (1), paragraph (a) of subsection (4), and
3295 subsection (14) of that section are amended, to read:

3296 1011.62 Funds for operation of schools.—If the annual
3297 allocation from the Florida Education Finance Program to each
3298 district for operation of schools is not determined in the
3299 annual appropriations act or the substantive bill implementing
3300 the annual appropriations act, it shall be determined as
3301 follows:

3302 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
3303 OPERATION.—The following procedure shall be followed in
3304 determining the annual allocation to each district for
3305 operation:

3306 (o) *Calculation of additional full-time equivalent*
3307 *membership based on successful completion of a career-themed*
3308 *course pursuant to ss. 1003.491, 1003.492, and 1003.493, or*
3309 *courses with embedded CAPE industry certifications or CAPE*
3310 *Digital Tool certificates, and issuance of industry*
3311 *certification identified on the CAPE Industry Certification*
3312 *Funding List pursuant to rules adopted by the State Board of*
3313 *Education or CAPE Digital Tool certificates pursuant to s.*
3314 *1003.4203.—*

3315 1.a. A value of 0.025 full-time equivalent student
3316 membership shall be calculated for CAPE Digital Tool



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3317 certificates earned by students in elementary and middle school
3318 grades.

3319 b. A value of 0.1 or 0.2 full-time equivalent student
3320 membership shall be calculated for each student who completes a
3321 course as defined in s. 1003.493(1)(b) or courses with embedded
3322 CAPE industry certifications and who is issued an industry
3323 certification identified annually on the CAPE Industry
3324 Certification Funding List approved under rules adopted by the
3325 State Board of Education. A value of 0.2 full-time equivalent
3326 membership shall be calculated for each student who is issued a
3327 CAPE industry certification that has a statewide articulation
3328 agreement for college credit approved by the State Board of
3329 Education. For CAPE industry certifications that do not
3330 articulate for college credit, the Department of Education shall
3331 assign a full-time equivalent value of 0.1 for each
3332 certification. Middle grades students who earn additional FTE
3333 membership for a CAPE Digital Tool certificate pursuant to sub-
3334 subparagraph a. may not use the previously funded examination to
3335 satisfy the requirements for earning an industry certification
3336 under this sub-subparagraph. Additional FTE membership for an
3337 elementary or middle grades student may not exceed 0.1 for
3338 certificates or certifications earned within the same fiscal
3339 year. The State Board of Education shall include the assigned
3340 values on the CAPE Industry Certification Funding List under
3341 rules adopted by the state board. Such value shall be added to
3342 the total full-time equivalent student membership for grades 6
3343 through 12 in the subsequent year. CAPE industry certifications
3344 earned through dual enrollment must be reported and funded
3345 pursuant to s. 1011.80. However, if a student earns a



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3346 certification through a dual enrollment course and the
3347 certification is not a fundable certification on the
3348 postsecondary certification funding list, or the dual enrollment
3349 certification is earned as a result of an agreement between a
3350 school district and a nonpublic postsecondary institution, the
3351 bonus value shall be funded in the same manner as other nondual
3352 enrollment course industry certifications. In such cases, the
3353 school district may provide for an agreement between the high
3354 school and the technical center, or the school district and the
3355 postsecondary institution may enter into an agreement for
3356 equitable distribution of the bonus funds.

3357 c. A value of 0.3 full-time equivalent student membership
3358 shall be calculated for student completion of the courses and
3359 the embedded certifications identified on the CAPE Industry
3360 Certification Funding List and approved by the commissioner
3361 pursuant to ss. 1003.4203(5) (a) and 1008.44.

3362 d. A value of 0.5 full-time equivalent student membership
3363 shall be calculated for CAPE Acceleration Industry
3364 Certifications that articulate for 15 to 29 college credit
3365 hours, and 1.0 full-time equivalent student membership shall be
3366 calculated for CAPE Acceleration Industry Certifications that
3367 articulate for 30 or more college credit hours pursuant to CAPE
3368 Acceleration Industry Certifications approved by the
3369 commissioner pursuant to ss. 1003.4203(5) (b) and 1008.44.

3370 2. Each district must allocate at least 80 percent of the
3371 funds provided for CAPE industry certification, in accordance
3372 with this paragraph, to the program that generated the funds.
3373 This allocation may not be used to supplant funds provided for
3374 basic operation of the program.



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3375 3. For CAPE industry certifications earned in the 2013-2014
3376 school year and in subsequent years, the school district shall
3377 distribute to each classroom teacher who provided direct
3378 instruction toward the attainment of a CAPE industry
3379 certification that qualified for additional full-time equivalent
3380 membership under subparagraph 1.:

3381 a. A bonus of \$25 for each student taught by a teacher who
3382 provided instruction in a course that led to the attainment of a
3383 CAPE industry certification on the CAPE Industry Certification
3384 Funding List with a weight of 0.1.

3385 b. A bonus of \$50 for each student taught by a teacher who
3386 provided instruction in a course that led to the attainment of a
3387 CAPE industry certification on the CAPE Industry Certification
3388 Funding List with a weight of 0.2.

3389 c. A bonus of \$75 for each student taught by a teacher who
3390 provided instruction in a course that led to the attainment of a
3391 CAPE industry certification on the CAPE Industry Certification
3392 Funding List with a weight of 0.3.

3393 d. A bonus of \$100 for each student taught by a teacher who
3394 provided instruction in a course that led to the attainment of a
3395 CAPE industry certification on the CAPE Industry Certification
3396 Funding List with a weight of 0.5 or 1.0.

3397
3398 Bonuses awarded pursuant to this paragraph shall be provided to
3399 teachers who are employed by the district in the year in which
3400 the additional FTE membership calculation is included in the
3401 calculation. Bonuses shall be calculated based upon the
3402 associated weight of a CAPE industry certification on the CAPE
3403 Industry Certification Funding List for the year in which the



3404 certification is earned by the student. Any bonus awarded to a
3405 teacher pursuant to ~~under~~ this paragraph is in addition to any
3406 regular wage or other bonus the teacher received or is scheduled
3407 to receive. A bonus may not be awarded to a teacher who fails to
3408 maintain the security of any CAPE industry certification
3409 examination or who otherwise violates the security or
3410 administration protocol of any assessment instrument that may
3411 result in a bonus being awarded to the teacher under this
3412 paragraph.

3413 (t) *Computation for funding through the Florida Education*
3414 *Finance Program.*—The State Board of Education may adopt rules
3415 establishing programs, industry certifications, and courses for
3416 which the student may earn credit toward high school graduation
3417 and the criteria under which a student's industry certification
3418 or grade may be rescinded.

3419 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The
3420 Legislature shall prescribe the aggregate required local effort
3421 for all school districts collectively as an item in the General
3422 Appropriations Act for each fiscal year. The amount that each
3423 district shall provide annually toward the cost of the Florida
3424 Education Finance Program for kindergarten through grade 12
3425 programs shall be calculated as follows:

3426 (a) *Estimated taxable value calculations.*—

3427 1.a. Not later than 2 working days before July 19, the
3428 Department of Revenue shall certify to the Commissioner of
3429 Education its most recent estimate of the taxable value for
3430 school purposes in each school district and the total for all
3431 school districts in the state for the current calendar year
3432 based on the latest available data obtained from the local



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3433 property appraisers. The value certified shall be the taxable
3434 value for school purposes for that year, and no further
3435 adjustments shall be made, except those made pursuant to
3436 paragraphs (c) and (d), or an assessment roll change required by
3437 final judicial decisions as specified in paragraph (19) (b)
3438 ~~(16) (b)~~. Not later than July 19, the Commissioner of Education
3439 shall compute a millage rate, rounded to the next highest one
3440 one-thousandth of a mill, which, when applied to 96 percent of
3441 the estimated state total taxable value for school purposes,
3442 would generate the prescribed aggregate required local effort
3443 for that year for all districts. The Commissioner of Education
3444 shall certify to each district school board the millage rate,
3445 computed as prescribed in this subparagraph, as the minimum
3446 millage rate necessary to provide the district required local
3447 effort for that year.

3448 b. The General Appropriations Act shall direct the
3449 computation of the statewide adjusted aggregate amount for
3450 required local effort for all school districts collectively from
3451 ad valorem taxes to ensure that no school district's revenue
3452 from required local effort millage will produce more than 90
3453 percent of the district's total Florida Education Finance
3454 Program calculation as calculated and adopted by the
3455 Legislature, and the adjustment of the required local effort
3456 millage rate of each district that produces more than 90 percent
3457 of its total Florida Education Finance Program entitlement to a
3458 level that will produce only 90 percent of its total Florida
3459 Education Finance Program entitlement in the July calculation.

3460 2. On the same date as the certification in sub-
3461 subparagraph 1.a., the Department of Revenue shall certify to



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3462 the Commissioner of Education for each district:

3463 a. Each year for which the property appraiser has certified
3464 the taxable value pursuant to s. 193.122(2) or (3), if
3465 applicable, since the prior certification under sub-subparagraph
3466 1.a.

3467 b. For each year identified in sub-subparagraph a., the
3468 taxable value certified by the appraiser pursuant to s.
3469 193.122(2) or (3), if applicable, since the prior certification
3470 under sub-subparagraph 1.a. This is the certification that
3471 reflects all final administrative actions of the value
3472 adjustment board.

3473 (14) QUALITY ASSURANCE GUARANTEE.—The Legislature may
3474 annually in the General Appropriations Act determine a
3475 percentage increase in funds per K-12 unweighted FTE as a
3476 minimum guarantee to each school district. The guarantee shall
3477 be calculated from prior year base funding per unweighted FTE
3478 student which shall include the adjusted FTE dollars as provided
3479 in subsection (19) ~~(16)~~, quality guarantee funds, and actual
3480 nonvoted discretionary local effort from taxes. From the base
3481 funding per unweighted FTE, the increase shall be calculated for
3482 the current year. The current year funds from which the
3483 guarantee shall be determined shall include the adjusted FTE
3484 dollars as provided in subsection (19) ~~(16)~~ and potential
3485 nonvoted discretionary local effort from taxes. A comparison of
3486 current year funds per unweighted FTE to prior year funds per
3487 unweighted FTE shall be computed. For those school districts
3488 which have less than the legislatively assigned percentage
3489 increase, funds shall be provided to guarantee the assigned
3490 percentage increase in funds per unweighted FTE student. Should



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3491 appropriated funds be less than the sum of this calculated
3492 amount for all districts, the commissioner shall prorate each
3493 district's allocation. This provision shall be implemented to
3494 the extent specifically funded.

3495 (16) HOPE SUPPLEMENTAL SERVICES ALLOCATION.-The hope
3496 supplemental services allocation is created to provide district-
3497 managed turnaround schools, as required under s. 1008.33(4) (a),
3498 charter schools authorized under s. 1008.33(4) (b)2., district-
3499 managed charter schools authorized under s. 1008.33(4) (b)3.a.,
3500 schools of hope authorized under s. 1008.33(4) (b)3.b., and
3501 franchise model schools as authorized under s. 1008.33(4) (b)4.,
3502 with funds to offer services designed to improve the overall
3503 academic and community welfare of the schools' students and
3504 their families.

3505 (a) Services funded by the allocation may include, but are
3506 not limited to, tutorial and after-school programs, student
3507 counseling, nutrition education, and parental counseling. In
3508 addition, services may also include models that develop a
3509 culture that encourages students to complete high school and to
3510 attend college or career training, set high academic
3511 expectations, inspire character development, and include an
3512 extended school day and school year.

3513 (b) Prior to distribution of the allocation, a school
3514 district, for a district turnaround school and persistently low-
3515 performing schools that use a franchise model; a hope operator,
3516 for a school of hope; or the charter school governing board for
3517 a charter school, as applicable, shall develop and submit a plan
3518 for implementation to its respective governing body for approval
3519 no later than August 1 of the fiscal year.



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3520 (c) At a minimum, the plans required under paragraph (b)
3521 must:
3522 1. Establish comprehensive support services that develop
3523 family and community partnerships;
3524 2. Establish clearly defined and measurable high academic
3525 and character standards;
3526 3. Increase parental involvement and engagement in the
3527 child's education;
3528 4. Describe how instructional personnel will be identified,
3529 recruited, retained, and rewarded;
3530 5. Provide professional development that focuses on
3531 academic rigor, direct instruction, and creating high academic
3532 and character standards; and
3533 6. Provide focused instruction to improve student academic
3534 proficiency, which may include additional instruction time
3535 beyond the normal school day or school year.
3536 (d) Each school district and hope operator shall submit
3537 approved plans to the commissioner by September 1 of each fiscal
3538 year.
3539 (e) For the 2018-2019 fiscal year, a school that is
3540 selected to receive funding in the 2017-2018 fiscal year
3541 pursuant to s. 1002.333(10)(c) shall receive \$2,000 per FTE. A
3542 district-managed turnaround school required under s.
3543 1008.33(4)(a), charter school authorized under s.
3544 1008.33(4)(b)2., district-managed charter school authorized
3545 under s. 1008.33(4)(b)3.a., school of hope authorized under s.
3546 1008.33(4)(b)3.b., and franchise model school authorized under
3547 s. 1008.33(4)(b)4. are eligible for the remaining funds based on
3548 the school's unweighted FTE, up to \$2,000 per FTE or as provided



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3549 in the General Appropriations Act.

3550 (f) For the 2019-2020 fiscal year and thereafter, each
3551 school district's allocation shall be based on the unweighted
3552 FTE student enrollment at the eligible schools and a per-FTE
3553 funding amount of up to \$2,000 per FTE or as provided in the
3554 General Appropriations Act. If the calculated funds for
3555 unweighted FTE student enrollment at the eligible schools exceed
3556 the per-FTE funds appropriated, the allocation of funds to each
3557 school district must be prorated based on each school district's
3558 share of the total unweighted FTE student enrollment for the
3559 eligible schools.

3560 (17) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental health
3561 assistance allocation is created to provide funding to assist
3562 school districts and charter schools in their compliance with
3563 the requirements and specifications established in s. 1006.05.
3564 These funds must be allocated annually in the General
3565 Appropriations Act to each eligible school district and
3566 developmental research school based on each entity's
3567 proportionate share of Florida Education Finance Program base
3568 funding. The district funding allocation must include a minimum
3569 amount, as provided in the General Appropriations Act. Eligible
3570 charter schools are entitled to a proportionate share of
3571 district funding for the program. The allocated funds may not
3572 supplant funds that are provided for this purpose from other
3573 operating funds and may not be used to increase salaries or
3574 provide bonuses, except for personnel hired to implement the
3575 plans required by s. 1006.05. School districts and schools must
3576 maximize third-party funding from Medicaid and private insurance
3577 when appropriate.



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3578 (18) FUNDING COMPRESSION ALLOCATION.—The Legislature may
3579 provide an annual funding compression allocation in the General
3580 Appropriations Act. The allocation is created to provide
3581 additional funding to school districts and developmental
3582 research schools whose total funds per FTE in the prior year
3583 were less than the statewide average. Using the most recent
3584 prior year FEFP calculation for each eligible school district,
3585 the total funds per FTE shall be subtracted from the state
3586 average funds per FTE, not including any adjustments made
3587 pursuant to paragraph (19) (b). The resulting funds per FTE
3588 difference, or a portion thereof, as designated in the General
3589 Appropriations Act, shall then be multiplied by the school
3590 district's total unweighted FTE to provide the allocation. If
3591 the calculated funds are greater than the amount included in the
3592 General Appropriations Act, they must be prorated to the
3593 appropriation amount based on each participating school
3594 district's share.

3595 Section 37. Subsection (5) of section 1011.69, Florida
3596 Statutes, is amended to read:

3597 1011.69 Equity in School-Level Funding Act.—

3598 (5) After providing Title I, Part A, Basic funds to schools
3599 above the 75 percent poverty threshold, which may include high
3600 schools above the 50 percent threshold as allowed by federal
3601 law, school districts shall provide any remaining Title I, Part
3602 A, Basic funds directly to all eligible schools as provided in
3603 this subsection. For purposes of this subsection, an eligible
3604 school is a school that is eligible to receive Title I funds,
3605 including a charter school. The threshold for identifying
3606 eligible schools may not exceed the threshold established by a



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3607 school district for the 2016-2017 school year or the statewide
3608 percentage of economically disadvantaged students, as determined
3609 annually.

3610 (a) Prior to the allocation of Title I funds to eligible
3611 schools, a school district may withhold funds only as follows:

3612 1. One percent for parent involvement, in addition to the
3613 one percent the district must reserve under federal law for
3614 allocations to eligible schools for parent involvement;

3615 2. A necessary and reasonable amount for administration;

3616 ~~3. which includes~~ The district's approved indirect cost
3617 rate, ~~not to exceed a total of 8 percent; and~~

3618 ~~4.3.~~ A reasonable and necessary amount to provide:

3619 a. Homeless programs;

3620 b. Delinquent and neglected programs;

3621 c. Prekindergarten programs and activities;

3622 d. Private school equitable services; and

3623 e. Transportation for foster care children to their school
3624 of origin or choice programs; ~~and.~~

3625 5. A necessary and reasonable amount for eligible schools
3626 to provide:

3627 a. Extended learning opportunities, such as summer school,
3628 before-school and after-school programs, and additional class
3629 periods of instruction during the school day; and

3630 b. Supplemental academic and enrichment services, staff
3631 development, and planning and curriculum, as well as wrap-around
3632 services.

3633 (b) All remaining Title I funds shall be distributed to all
3634 eligible schools in accordance with federal law and regulation.

3635 To maximize the efficient use of resources, school districts may



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3636 allow eligible schools, not including charter schools, to An
3637 eligible school may use funds under this subsection for
3638 district-level to participate in discretionary educational
3639 services provided by the school district.

3640 Section 38. Subsection (5) of section 1011.71, Florida
3641 Statutes, is amended to read:

3642 1011.71 District school tax.—

3643 (5) ~~Effective July 1, 2008,~~ A school district may expend,
3644 subject to ~~the provisions of~~ s. 200.065, up to \$150 ~~\$100~~ per
3645 unweighted full-time equivalent student from the revenue
3646 generated by the millage levy authorized by subsection (2) to
3647 fund, in addition to expenditures authorized in paragraphs
3648 (2) (a)-(j), expenses for the following:

3649 (a) The purchase, lease-purchase, or lease of driver's
3650 education vehicles; motor vehicles used for the maintenance or
3651 operation of plants and equipment; security vehicles; or
3652 vehicles used in storing or distributing materials and
3653 equipment.

3654 (b) Payment of the cost of premiums, as defined in s.
3655 627.403, for property and casualty insurance necessary to insure
3656 school district educational and ancillary plants. As used in
3657 this paragraph, casualty insurance has the same meaning as in s.
3658 624.605(1) (d), (f), (g), (h), and (m). Operating revenues that
3659 are made available through the payment of property and casualty
3660 insurance premiums from revenues generated under this subsection
3661 may be expended only for nonrecurring operational expenditures
3662 of the school district.

3663 Section 39. Subsection (4) of section 1012.2315, Florida
3664 Statutes, is amended to read:



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3665 1012.2315 Assignment of teachers.-

3666 (4) COLLECTIVE BARGAINING.-

3667 (a) Notwithstanding provisions of chapter 447 relating to
3668 district school board collective bargaining, collective
3669 bargaining provisions may not preclude a school district from
3670 providing incentives to high-quality teachers and assigning such
3671 teachers to low-performing schools.

3672 (b)1. In addition to the provisions under s. 447.305(2), an
3673 employee organization that has been certified as the bargaining
3674 agent for a unit of instructional personnel as defined in s.
3675 1012.01(2) must include for each such certified bargaining unit
3676 the following information in its application for renewal of
3677 registration:

3678 a. The number of employees in the bargaining unit who are
3679 eligible for representation by the employee organization.

3680 b. The number of employees who are represented by the
3681 employee organization, specifying the number of members who pay
3682 dues and the number of members who do not pay dues.

3683 2. Notwithstanding the provisions of chapter 447 relating
3684 to collective bargaining, an employee organization whose dues
3685 paying membership is less than 50 percent of the employees
3686 eligible for representation in the unit, as identified in
3687 subparagraph 1., must petition the Public Employees Relations
3688 Commission pursuant to s. 447.307(2) and (3) for recertification
3689 as the exclusive representative of all employees in the unit
3690 within 1 month after the date on which the organization applies
3691 for renewal of registration pursuant to s. 447.305(2). The
3692 certification of an employee organization that does not comply
3693 with this paragraph is revoked.



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3694 Section 40. Section 1012.315, Florida Statutes, is amended
3695 to read:

3696 1012.315 Disqualification from employment.—A person is
3697 ineligible for educator certification, and instructional
3698 personnel and school administrators, as defined in s. 1012.01,
3699 are ineligible for employment in any position that requires
3700 direct contact with students in a district school system,
3701 charter school, or private school that accepts scholarship
3702 students under s. 1002.385, s. 1002.39, ~~or~~ s. 1002.395, or
3703 another state scholarship program under chapter 1002, if the
3704 person, instructional personnel, or school administrator has
3705 been convicted of:

3706 (1) Any felony offense prohibited under any of the
3707 following statutes:

3708 (a) Section 393.135, relating to sexual misconduct with
3709 certain developmentally disabled clients and reporting of such
3710 sexual misconduct.

3711 (b) Section 394.4593, relating to sexual misconduct with
3712 certain mental health patients and reporting of such sexual
3713 misconduct.

3714 (c) Section 415.111, relating to adult abuse, neglect, or
3715 exploitation of aged persons or disabled adults.

3716 (d) Section 782.04, relating to murder.

3717 (e) Section 782.07, relating to manslaughter, aggravated
3718 manslaughter of an elderly person or disabled adult, aggravated
3719 manslaughter of a child, or aggravated manslaughter of an
3720 officer, a firefighter, an emergency medical technician, or a
3721 paramedic.

3722 (f) Section 784.021, relating to aggravated assault.



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- 3723 (g) Section 784.045, relating to aggravated battery.
- 3724 (h) Section 784.075, relating to battery on a detention or
3725 commitment facility staff member or a juvenile probation
3726 officer.
- 3727 (i) Section 787.01, relating to kidnapping.
- 3728 (j) Section 787.02, relating to false imprisonment.
- 3729 (k) Section 787.025, relating to luring or enticing a
3730 child.
- 3731 (l) Section 787.04(2), relating to leading, taking,
3732 enticing, or removing a minor beyond the state limits, or
3733 concealing the location of a minor, with criminal intent pending
3734 custody proceedings.
- 3735 (m) Section 787.04(3), relating to leading, taking,
3736 enticing, or removing a minor beyond the state limits, or
3737 concealing the location of a minor, with criminal intent pending
3738 dependency proceedings or proceedings concerning alleged abuse
3739 or neglect of a minor.
- 3740 (n) Section 790.115(1), relating to exhibiting firearms or
3741 weapons at a school-sponsored event, on school property, or
3742 within 1,000 feet of a school.
- 3743 (o) Section 790.115(2)(b), relating to possessing an
3744 electric weapon or device, destructive device, or other weapon
3745 at a school-sponsored event or on school property.
- 3746 (p) Section 794.011, relating to sexual battery.
- 3747 (q) Former s. 794.041, relating to sexual activity with or
3748 solicitation of a child by a person in familial or custodial
3749 authority.
- 3750 (r) Section 794.05, relating to unlawful sexual activity
3751 with certain minors.



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- 3752 (s) Section 794.08, relating to female genital mutilation.
- 3753 (t) Chapter 796, relating to prostitution.
- 3754 (u) Chapter 800, relating to lewdness and indecent
- 3755 exposure.
- 3756 (v) Section 806.01, relating to arson.
- 3757 (w) Section 810.14, relating to voyeurism.
- 3758 (x) Section 810.145, relating to video voyeurism.
- 3759 (y) Section 812.014(6), relating to coordinating the
- 3760 commission of theft in excess of \$3,000.
- 3761 (z) Section 812.0145, relating to theft from persons 65
- 3762 years of age or older.
- 3763 (aa) Section 812.019, relating to dealing in stolen
- 3764 property.
- 3765 (bb) Section 812.13, relating to robbery.
- 3766 (cc) Section 812.131, relating to robbery by sudden
- 3767 snatching.
- 3768 (dd) Section 812.133, relating to carjacking.
- 3769 (ee) Section 812.135, relating to home-invasion robbery.
- 3770 (ff) Section 817.563, relating to fraudulent sale of
- 3771 controlled substances.
- 3772 (gg) Section 825.102, relating to abuse, aggravated abuse,
- 3773 or neglect of an elderly person or disabled adult.
- 3774 (hh) Section 825.103, relating to exploitation of an
- 3775 elderly person or disabled adult.
- 3776 (ii) Section 825.1025, relating to lewd or lascivious
- 3777 offenses committed upon or in the presence of an elderly person
- 3778 or disabled person.
- 3779 (jj) Section 826.04, relating to incest.
- 3780 (kk) Section 827.03, relating to child abuse, aggravated



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3781 child abuse, or neglect of a child.
3782 (ll) Section 827.04, relating to contributing to the
3783 delinquency or dependency of a child.
3784 (mm) Section 827.071, relating to sexual performance by a
3785 child.
3786 (nn) Section 843.01, relating to resisting arrest with
3787 violence.
3788 (oo) Chapter 847, relating to obscenity.
3789 (pp) Section 874.05, relating to causing, encouraging,
3790 soliciting, or recruiting another to join a criminal street
3791 gang.
3792 (qq) Chapter 893, relating to drug abuse prevention and
3793 control, if the offense was a felony of the second degree or
3794 greater severity.
3795 (rr) Section 916.1075, relating to sexual misconduct with
3796 certain forensic clients and reporting of such sexual
3797 misconduct.
3798 (ss) Section 944.47, relating to introduction, removal, or
3799 possession of contraband at a correctional facility.
3800 (tt) Section 985.701, relating to sexual misconduct in
3801 juvenile justice programs.
3802 (uu) Section 985.711, relating to introduction, removal, or
3803 possession of contraband at a juvenile detention facility or
3804 commitment program.
3805 (2) Any misdemeanor offense prohibited under any of the
3806 following statutes:
3807 (a) Section 784.03, relating to battery, if the victim of
3808 the offense was a minor.
3809 (b) Section 787.025, relating to luring or enticing a



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3810 child.

3811 (3) Any criminal act committed in another state or under
3812 federal law which, if committed in this state, constitutes an
3813 offense prohibited under any statute listed in subsection (1) or
3814 subsection (2).

3815 (4) Any delinquent act committed in this state or any
3816 delinquent or criminal act committed in another state or under
3817 federal law which, if committed in this state, qualifies an
3818 individual for inclusion on the Registered Juvenile Sex Offender
3819 List under s. 943.0435(1)(h)1.d.

3820 Section 41. Subsection (2) of section 1012.32, Florida
3821 Statutes, is amended to read:

3822 1012.32 Qualifications of personnel.-

3823 (2)(a) Instructional and noninstructional personnel who are
3824 hired or contracted to fill positions that require direct
3825 contact with students in any district school system or
3826 university lab school must, upon employment or engagement to
3827 provide services, undergo background screening as required under
3828 s. 1012.465 or s. 1012.56, whichever is applicable.

3829 (b) Instructional and noninstructional personnel who are
3830 hired or contracted to fill positions in any charter school and
3831 members of the governing board of any charter school, in
3832 compliance with s. 1002.33(12)(g), must, upon employment,
3833 engagement of services, or appointment, undergo background
3834 screening as required under s. 1012.465 or s. 1012.56, whichever
3835 is applicable, by filing with the district school board for the
3836 school district in which the charter school is located a
3837 complete set of fingerprints taken by an authorized law
3838 enforcement agency or an employee of the school or school



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3839 district who is trained to take fingerprints.

3840 (c) Instructional and noninstructional personnel who are
3841 hired or contracted to fill positions that require direct
3842 contact with students in an alternative school that operates
3843 under contract with a district school system must, upon
3844 employment or engagement to provide services, undergo background
3845 screening as required under s. 1012.465 or s. 1012.56, whichever
3846 is applicable, by filing with the district school board for the
3847 school district to which the alternative school is under
3848 contract a complete set of fingerprints taken by an authorized
3849 law enforcement agency or an employee of the school or school
3850 district who is trained to take fingerprints.

3851 (d) Student teachers and persons participating in a field
3852 experience pursuant to s. 1004.04(5) or s. 1004.85 in any
3853 district school system, lab school, or charter school must, upon
3854 engagement to provide services, undergo background screening as
3855 required under s. 1012.56.

3856
3857 Fingerprints shall be submitted to the Department of Law
3858 Enforcement for statewide criminal and juvenile records checks
3859 and to the Federal Bureau of Investigation for federal criminal
3860 records checks. A person subject to this subsection who is found
3861 ineligible for employment under s. 1012.315, or otherwise found
3862 through background screening to have been convicted of any crime
3863 involving moral turpitude as defined by rule of the State Board
3864 of Education, shall not be employed, engaged to provide
3865 services, or serve in any position that requires direct contact
3866 with students. Probationary persons subject to this subsection
3867 terminated because of their criminal record have the right to



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3868 appeal such decisions. The cost of the background screening may
3869 be borne by the district school board, the charter school, the
3870 employee, the contractor, or a person subject to this
3871 subsection. If the district school board does not notify the
3872 charter school of the eligibility of governing board members and
3873 instructional and noninstructional personnel within 14 days
3874 after the submission of the fingerprints, it shall reimburse the
3875 cost of background screening.

3876 Section 42. Section 1012.562, Florida Statutes, is amended
3877 to read:

3878 1012.562 Public accountability and state approval of school
3879 leader preparation programs.—The Department of Education shall
3880 establish a process for the approval of Level I and Level II
3881 school leader preparation programs that will enable aspiring
3882 school leaders to obtain their certificate in educational
3883 leadership under s. 1012.56. School leader preparation programs
3884 must be competency-based, aligned to the principal leadership
3885 standards adopted by the state board, and open to individuals
3886 employed by public schools, including charter schools and
3887 virtual schools. Level I programs ~~may be offered by school~~
3888 ~~districts or postsecondary institutions and lead to initial~~
3889 certification in educational leadership for the purpose of
3890 preparing individuals to serve as school administrators. Level
3891 II programs ~~may be offered by school districts,~~ build upon Level
3892 I training~~,~~ and lead to renewal certification as a school
3893 principal.

3894 (1) PURPOSE.—The purpose of school leader preparation
3895 programs are to:

3896 (a) Increase the supply of effective school leaders in the



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3897 public schools of this state.

3898 (b) Produce school leaders who are prepared to lead the
3899 state's diverse student population in meeting high standards for
3900 academic achievement.

3901 (c) Enable school leaders to facilitate the development and
3902 retention of effective and highly effective classroom teachers.

3903 (d) Produce leaders with the competencies and skills
3904 necessary to achieve the state's education goals.

3905 (e) Sustain the state system of school improvement and
3906 education accountability.

3907 (2) LEVEL I PROGRAMS.—

3908 (a) Initial approval of a Level I program shall be for a
3909 period of 5 years. A postsecondary institution, ~~or~~ school
3910 district, charter school, or charter management organization may
3911 submit to the department in a format prescribed by the
3912 department an application to establish a Level I school leader
3913 preparation program. To be approved, a Level I program must:

3914 1. Provide competency-based training aligned to the
3915 principal leadership standards adopted by the State Board of
3916 Education.

3917 2. If the program is provided by a postsecondary
3918 institution, partner with at least one school district.

3919 3. Describe the qualifications that will be used to
3920 determine program admission standards, including a candidate's
3921 instructional expertise and leadership potential.

3922 4. Describe how the training provided through the program
3923 will be aligned to the personnel evaluation criteria under s.
3924 1012.34.

3925 (b) Renewal of a Level I program's approval shall be for a



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3926 period of 5 years and shall be based upon evidence of the
3927 program's continued ability to meet the requirements of
3928 paragraph (a). A postsecondary institution or school district
3929 must submit an institutional program evaluation plan in a format
3930 prescribed by the department for a Level I program to be
3931 considered for renewal. The plan must include:

3932 1. The percentage of personnel who complete the program and
3933 are placed in school leadership positions in public schools
3934 within the state.

3935 2. Results from the personnel evaluations required under s.
3936 1012.34 for personnel who complete the program.

3937 3. The passage rate of personnel who complete the program
3938 on the Florida Education Leadership Examination.

3939 4. The impact personnel who complete the program have on
3940 student learning as measured by the formulas developed by the
3941 commissioner pursuant to s. 1012.34(7).

3942 5. Strategies for continuous improvement of the program.

3943 6. Strategies for involving personnel who complete the
3944 program, other school personnel, community agencies, business
3945 representatives, and other stakeholders in the program
3946 evaluation process.

3947 7. Additional data included at the discretion of the
3948 postsecondary institution or school district.

3949 (c) A Level I program must guarantee the high quality of
3950 personnel who complete the program for the first 2 years after
3951 program completion or the person's initial certification as a
3952 school leader, whichever occurs first. If a person who completed
3953 the program is evaluated at less than highly effective or
3954 effective under s. 1012.34 and the person's employer requests



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3955 additional training, the Level I program must provide additional
3956 training at no cost to the person or his or her employer. The
3957 training must include the creation of an individualized plan
3958 agreed to by the employer that includes specific learning
3959 outcomes. The Level I program is not responsible for the
3960 person's employment contract with his or her employer.

3961 (3) LEVEL II PROGRAMS.—Initial approval and subsequent
3962 renewal of a Level II program shall be for a period of 5 years.
3963 A school district, charter school, or charter management
3964 organization may submit to the department in a format prescribed
3965 by the department an application to establish a Level II school
3966 leader preparation program or for program renewal. To be
3967 approved or renewed, a Level II program must:

3968 (a) Demonstrate that personnel accepted into the Level II
3969 program have:

3970 1. Obtained their certificate in educational leadership
3971 under s. 1012.56.

3972 2. Earned a highly effective or effective designation under
3973 s. 1012.34.

3974 3. Satisfactorily performed instructional leadership
3975 responsibilities as measured by the evaluation system in s.
3976 1012.34.

3977 (b) Demonstrate that the Level II program:

3978 1. Provides competency-based training aligned to the
3979 principal leadership standards adopted by the State Board of
3980 Education.

3981 2. Provides training aligned to the personnel evaluation
3982 criteria under s. 1012.34 and professional development program
3983 in s. 1012.986.



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3984 3. Provides individualized instruction using a customized
3985 learning plan for each person enrolled in the program that is
3986 based on data from self-assessment, selection, and appraisal
3987 instruments.

3988 4. Conducts program evaluations and implements program
3989 improvements using input from personnel who completed the
3990 program and employers and data gathered pursuant to paragraph
3991 (2) (b) .

3992 (c) Gather and monitor the data specified in paragraph
3993 (2) (b) .

3994 (4) RULES.—The State Board of Education shall adopt rules
3995 to administer this section.

3996 Section 43. Paragraphs (b) and (c) of subsection (3) of
3997 section 1012.731, Florida Statutes, are amended to read:

3998 1012.731 The Florida Best and Brightest Teacher Scholarship
3999 Program.—

4000 (3)

4001 (b)1. In order to demonstrate eligibility for an award, an
4002 eligible classroom teacher must submit to the school district,
4003 no later than November 1, an official record of his or her
4004 qualifying assessment score and, beginning with the 2020-2021
4005 school year, an official transcript demonstrating that he or she
4006 graduated cum laude or higher with a baccalaureate degree, if
4007 applicable. Once a classroom teacher is deemed eligible by the
4008 school district, the teacher shall remain eligible as long as he
4009 or she remains employed by the school district as a classroom
4010 teacher at the time of the award and receives an annual
4011 performance evaluation rating of highly effective pursuant to s.
4012 1012.34 or is evaluated as highly effective based on a



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4013 commissioner-approved student learning growth formula pursuant
4014 to s. 1012.34(8) for the 2019-2020 school year or thereafter.

4015 2. A school district employee who, in the prior school
4016 year, was rated highly effective and met the eligibility
4017 requirements under this section as a classroom teacher, is
4018 eligible to receive a scholarship award during the current
4019 school year if he or she maintains employment with the school
4020 district.

4021 ~~(c) Notwithstanding the requirements of this subsection,~~
4022 ~~for the 2017-2018, 2018-2019, and 2019-2020 school years, any~~
4023 ~~classroom teacher who:~~

4024 ~~1. Was evaluated as highly effective pursuant to s. 1012.34~~
4025 ~~in the school year immediately preceding the year in which the~~
4026 ~~scholarship will be awarded shall receive a scholarship of~~
4027 ~~\$1200, including a classroom teacher who received an award~~
4028 ~~pursuant to paragraph (a).~~

4029 ~~2. Was evaluated as effective pursuant to s. 1012.34 in the~~
4030 ~~school year immediately preceding the year in which the~~
4031 ~~scholarship will be awarded a scholarship of up to \$800. If the~~
4032 ~~number of eligible classroom teachers under this subparagraph~~
4033 ~~exceeds the total allocation, the department shall prorate the~~
4034 ~~per-teacher scholarship amount.~~

4035
4036 ~~This paragraph expires July 1, 2020.~~

4037 Section 44. Subsections (2), (3), and (4) of section
4038 1012.732, Florida Statutes, are amended to read:

4039 1012.732 The Florida Best and Brightest Principal
4040 Scholarship Program.—

4041 (2) There is created the Florida Best and Brightest



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4042 Principal Scholarship Program to be administered by the
4043 Department of Education. The program shall provide categorical
4044 funding for scholarships to be awarded to school principals, as
4045 defined in s. 1012.01(3)(c)1., who are serving as a franchise
4046 model school principals or who have recruited and retained a
4047 high percentage of best and brightest teachers.

4048 (3)(a) A school principal identified pursuant to s.
4049 1012.731(4)(c) is eligible to receive a scholarship under this
4050 section if he or she has served as school principal at his or
4051 her school for at least 2 consecutive school years including the
4052 current school year and his or her school has a ratio of best
4053 and brightest teachers to other classroom teachers that is at
4054 the 80th percentile or higher for schools within the same grade
4055 group, statewide, including elementary schools, middle schools,
4056 high schools, and schools with a combination of grade levels.

4057 (b) A principal of a franchise model school, as defined in
4058 s. 1002.334, is eligible to receive a scholarship under this
4059 section.

4060 (4) Annually, by February 1, the department shall identify
4061 eligible school principals and disburse funds to each school
4062 district for each eligible school principal to receive a
4063 scholarship.

4064 (a) A scholarship of \$10,000 ~~\$5,000~~ must be awarded to each
4065 franchise model school principal who is every eligible under
4066 paragraph (3)(b).

4067 (b) A scholarship of \$5,000 must be awarded to each school
4068 principal assigned to a Title I school and a scholarship of
4069 \$4,000 to each every eligible school principal who is not
4070 assigned to a Title I school and who is eligible under paragraph



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4071 (3) (a).

4072 Section 45. Paragraph (e) of subsection (1) of section
4073 1012.796, Florida Statutes, is amended to read:

4074 1012.796 Complaints against teachers and administrators;
4075 procedure; penalties.—

4076 (1)

4077 (e) If allegations arise against an employee who is
4078 certified under s. 1012.56 and employed in an educator-
4079 certificated position in any public school, charter school or
4080 governing board thereof, or private school that accepts
4081 scholarship students under s. 1002.385, s. 1002.39, ~~or~~ s.
4082 1002.395, or another state scholarship program under chapter
4083 1002, the school shall file in writing with the department a
4084 legally sufficient complaint within 30 days after the date on
4085 which the subject matter of the complaint came to the attention
4086 of the school. A complaint is legally sufficient if it contains
4087 ultimate facts that show a violation has occurred as provided in
4088 s. 1012.795 and defined by rule of the State Board of Education.
4089 The school shall include all known information relating to the
4090 complaint with the filing of the complaint. This paragraph does
4091 not limit or restrict the power and duty of the department to
4092 investigate complaints, regardless of the school's untimely
4093 filing, or failure to file, complaints and followup reports.

4094 Section 46. Subsection (11) of section 1012.98, Florida
4095 Statutes, is amended to read:

4096 1012.98 School Community Professional Development Act.—

4097 (11) The department shall disseminate to the school
4098 community proven model professional development programs that
4099 have demonstrated success in increasing rigorous and relevant



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4100 content, increasing student achievement and engagement, meeting
4101 identified student needs, and providing effective mentorship
4102 activities to new teachers and training to teacher mentors. The
4103 methods of dissemination must include a web-based statewide
4104 performance-support system including a database of exemplary
4105 professional development activities, a listing of available
4106 professional development resources, training programs, and
4107 available technical assistance. Professional development
4108 resources must include sample course-at-a-glance and unit
4109 overview templates that school districts may use when developing
4110 curriculum. The templates must provide an organized structure
4111 for addressing the Florida Standards, grade-level expectations,
4112 evidence outcomes, and 21st century skills that build students'
4113 mastery of the standards at each grade level. Each template must
4114 support teaching to greater intellectual depth and emphasize
4115 transfer and application of concepts, content, and skills. At a
4116 minimum, each template must:

4117 (a) Provide course or year-long sequencing of concept-based
4118 unit overviews based on the Florida Standards.

4119 (b) Describe the knowledge and vocabulary necessary for
4120 comprehension.

4121 (c) Promote the instructional shifts required within the
4122 Florida Standards.

4123 (d) Illustrate the interdependence of grade level
4124 expectations within and across content areas within a grade.

4125 Section 47. Paragraph (a) of subsection (2) of section
4126 1013.28, Florida Statutes, is amended to read:

4127 1013.28 Disposal of property.—

4128 (2) TANGIBLE PERSONAL PROPERTY.—



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4129 (a) Tangible personal property that has been properly
4130 classified as surplus by a district school board or Florida
4131 College System institution board of trustees shall be disposed
4132 of in accordance with the procedure established by chapter 274.
4133 However, the provisions of chapter 274 shall not be applicable
4134 to a motor vehicle used in driver education to which title is
4135 obtained for a token amount from an automobile dealer or
4136 manufacturer. In such cases, the disposal of the vehicle shall
4137 be as prescribed in the contractual agreement between the
4138 automotive agency or manufacturer and the board. Tangible
4139 personal property that has been properly classified as surplus,
4140 marked for disposal, or otherwise unused by a district school
4141 board shall be provided for a charter school's use on the same
4142 basis as it is made available to other public schools in the
4143 district. A charter school receiving property from the school
4144 district may not sell or dispose of such property without the
4145 written permission of the school district.

4146 Section 48. Present paragraphs (a) through (d) of
4147 subsection (1) of section 1013.31, Florida Statutes, are
4148 redesignated as paragraphs (b) through (e), respectively, and a
4149 new paragraph (a) is added to that subsection, to read:

4150 1013.31 Educational plant survey; localized need
4151 assessment; PECO project funding.-

4152 (1) At least every 5 years, each board shall arrange for an
4153 educational plant survey, to aid in formulating plans for
4154 housing the educational program and student population, faculty,
4155 administrators, staff, and auxiliary and ancillary services of
4156 the district or campus, including consideration of the local
4157 comprehensive plan. The Department of Education shall document



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4158 the need for additional career and adult education programs and
4159 the continuation of existing programs before facility
4160 construction or renovation related to career or adult education
4161 may be included in the educational plant survey of a school
4162 district or Florida College System institution that delivers
4163 career or adult education programs. Information used by the
4164 Department of Education to establish facility needs must
4165 include, but need not be limited to, labor market data, needs
4166 analysis, and information submitted by the school district or
4167 Florida College System institution.

4168 (a) Educational plant survey and localized need assessment
4169 for capital outlay purposes.—A district may only use funds from
4170 the following sources for educational, auxiliary, and ancillary
4171 plant capital outlay purposes without needing a survey
4172 recommendation:

4173 1. The local capital outlay improvement fund, consisting of
4174 funds that come from and are a part of the district's basic
4175 operating budget;

4176 2. If a board decides to build an educational, auxiliary,
4177 or ancillary facility without a survey recommendation and the
4178 taxpayers approve a bond referendum, the voted bond referendum;

4179 3. One-half cent sales surtax revenue;

4180 4. One cent local governmental surtax revenue;

4181 5. Impact fees; and

4182 6. Private gifts or donations.

4183 Section 49. Paragraph (e) is added to subsection (2) of
4184 section 1013.385, Florida Statutes, to read:

4185 1013.385 School district construction flexibility.—

4186 (2) A resolution adopted under this section may propose



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4187 implementation of exceptions to requirements of the uniform
4188 statewide building code for the planning and construction of
4189 public educational and ancillary plants adopted pursuant to ss.
4190 553.73 and 1013.37 relating to:

4191 (e) Any other provisions that limit the ability of a school
4192 to operate in a facility on the same basis as a charter school
4193 pursuant to s. 1002.33(18) if the regional planning council
4194 determines that there is sufficient shelter capacity within the
4195 school district as documented in the Statewide Emergency Shelter
4196 Plan.

4197 Section 50. Subsection (3) of section 1013.62, Florida
4198 Statutes, is amended, and paragraph (c) is added to subsection
4199 (1) of that section, to read:

4200 1013.62 Charter schools capital outlay funding.—

4201 (1) Charter school capital outlay funding shall consist of
4202 revenue resulting from the discretionary millage authorized in
4203 s. 1011.71(2) and state funds when such funds are appropriated
4204 in the General Appropriations Act.

4205 (c) It is the intent of the Legislature that the public
4206 interest be protected by prohibiting personal financial
4207 enrichment by owners, operators, managers, real estate
4208 developers, and other affiliated parties of charter schools.
4209 Therefore, a charter school is not eligible for a funding
4210 allocation unless the chair of the governing board and the chief
4211 administrative officer of the charter school annually certify
4212 under oath that the funds will be used solely and exclusively
4213 for constructing, renovating, or improving charter school
4214 facilities that are:

4215 1. Owned by a school district, a political subdivision of



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4216 the state, a municipality, a Florida College System institution,
4217 or a state university;

4218 2. Owned by an organization that is qualified as an exempt
4219 organization under s. 501(c)(3) of the Internal Revenue Code
4220 whose articles of incorporation specify that, upon the
4221 organization's dissolution, the subject property will be
4222 transferred to a school district, a political subdivision of the
4223 state, a municipality, a Florida College System institution, or
4224 a state university; or

4225 3. Owned by and leased, at a fair market value in the
4226 school district in which the charter school is located, from a
4227 person or entity that is not an affiliated party of the charter
4228 school. For the purposes of this subparagraph, the term
4229 "affiliated party of the charter school" means the applicant for
4230 the charter school pursuant to s. 1002.33; the governing board
4231 of the charter school or a member of the governing board; the
4232 charter school owner; the charter school principal; an employee
4233 of the charter school; an independent contractor of the charter
4234 school or the governing board of the charter school; a relative,
4235 as defined in s. 1002.33(24)(a)2., of a charter school governing
4236 board member, a charter school owner, a charter school
4237 principal, a charter school employee, or an independent
4238 contractor of a charter school or charter school governing
4239 board; a subsidiary corporation, a service corporation, an
4240 affiliated corporation, a parent corporation, a limited
4241 liability company, a limited partnership, a trust, a
4242 partnership, or a related party that, individually or through
4243 one or more entities, shares common ownership or control and
4244 directly or indirectly manages, administers, controls, or



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4245 oversees the operation of the charter school; or any person or
4246 entity, individually or through one or more entities that share
4247 common ownership, which directly or indirectly manages,
4248 administers, controls, or oversees the operation of any of the
4249 foregoing.

4250 (3) If the school board levies the discretionary millage
4251 authorized in s. 1011.71(2), the department shall use the
4252 following calculation methodology to determine the amount of
4253 revenue that a school district must distribute to each eligible
4254 charter school:

4255 (a) Reduce the total discretionary millage revenue by the
4256 school district's annual debt service obligation incurred as of
4257 March 1, 2017, and any amount of participation requirement
4258 pursuant to s. 1013.64(2)(a)8. that is being satisfied by
4259 revenues raised by the discretionary millage.

4260 (b) Divide the school district's adjusted discretionary
4261 millage revenue by the district's total capital outlay full-time
4262 equivalent membership and the total number of unweighted full-
4263 time equivalent students of each eligible charter school to
4264 determine a capital outlay allocation per full-time equivalent
4265 student.

4266 (c) Multiply the capital outlay allocation per full-time
4267 equivalent student by the total number of full-time equivalent
4268 students for all of each eligible charter schools within the
4269 district school to determine the total charter school capital
4270 outlay allocation for each district charter school.

4271 (d) If applicable, reduce the capital outlay allocation
4272 identified in paragraph (c) by the total amount of state funds
4273 allocated pursuant to subsection (2) to all each eligible



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4274 charter schools within a district ~~school in subsection (2)~~ to
4275 determine the net total ~~maximum~~ calculated capital outlay
4276 allocation from local funds. If state funds are not allocated
4277 pursuant to subsection (2), the amount determined in paragraph
4278 (c) is equal to the net total calculated capital outlay
4279 allocation from local funds for each district.

4280 (e) For each charter school within each district, the net
4281 capital outlay amount from local funds shall be calculated in
4282 the same manner as the state funds in paragraphs (2) (a)-(d),
4283 except that the base charter school per weighted FTE allocation
4284 amount shall be determined by dividing the net total capital
4285 outlay amount from local funds by the total weighted FTE for all
4286 eligible charter schools within the district. The per weighted
4287 FTE allocation amount from local funds shall be multiplied by
4288 the weighted FTE for each charter school to determine each
4289 charter school's capital outlay allocation from local funds.

4290 (f) ~~(e)~~ School districts shall distribute capital outlay
4291 funds to charter schools no later than February 1 of each year,
4292 ~~beginning on February 1, 2018, for the 2017-2018 fiscal year.~~

4293 Section 51. Effective July 1, 2019, subsection (13) of
4294 section 212.08, Florida Statutes, is amended to read:

4295 212.08 Sales, rental, use, consumption, distribution, and
4296 storage tax; specified exemptions.—The sale at retail, the
4297 rental, the use, the consumption, the distribution, and the
4298 storage to be used or consumed in this state of the following
4299 are hereby specifically exempt from the tax imposed by this
4300 chapter.

4301 (13) No transactions shall be exempt from the tax imposed
4302 by this chapter except those expressly exempted herein. All laws



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4303 granting tax exemptions, to the extent they may be inconsistent
4304 or in conflict with this chapter, including, but not limited to,
4305 the following designated laws, shall yield to and be superseded
4306 by the provisions of this subsection: ss. 125.019, 153.76,
4307 154.2331, 159.15, 159.31, 159.50, 159.708, 163.385, 163.395,
4308 215.76, 243.33, 315.11, 348.65, 348.762, 349.13, 403.1834, and
4309 616.07, and 623.09, and the following Laws of Florida, acts of
4310 the year indicated: s. 31, chapter 30843, 1955; s. 19, chapter
4311 30845, 1955; s. 12, chapter 30927, 1955; s. 8, chapter 31179,
4312 1955; s. 15, chapter 31263, 1955; s. 13, chapter 31343, 1955; s.
4313 16, chapter 59-1653; s. 13, chapter 59-1356; s. 12, chapter 61-
4314 2261; s. 19, chapter 61-2754; s. 10, chapter 61-2686; s. 11,
4315 chapter 63-1643; s. 11, chapter 65-1274; s. 16, chapter 67-1446;
4316 and s. 10, chapter 67-1681. This subsection does not supersede
4317 the authority of a local government to adopt financial and local
4318 government incentives pursuant to s. 163.2517.

4319 Section 52. For the 2018-2019 fiscal year, the sum of
4320 \$2,596,560 in recurring funds from the General Revenue Fund and
4321 the sum of \$392,134 in nonrecurring funds from the General
4322 Revenue Fund are appropriated to the Department of Education to
4323 implement this act as follows: the sum of \$2 million in
4324 recurring funds shall be used to implement the Hope Scholarship
4325 Program created pursuant to s. 1002.40, Florida Statutes, the
4326 sums of \$596,560 in recurring funds and \$142,134 in nonrecurring
4327 funds shall be used to implement the additional oversight
4328 requirements pursuant to s. 1002.421, Florida Statutes, and the
4329 sum of \$250,000 in nonrecurring funds shall be used to issue a
4330 competitive grant award pursuant to s. 1002.395(9), Florida
4331 Statutes.



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4332 Section 53. The Department of Revenue may, and all
4333 conditions are deemed met to, adopt emergency rules pursuant to
4334 ss. 120.536(1) and 120.54, Florida Statutes, to administer this
4335 act.

4336 Section 54. Except as otherwise expressly provided in this
4337 act, this act shall take effect July 1, 2018.

4338
4339 ===== T I T L E A M E N D M E N T =====

4340 And the title is amended as follows:

4341 Delete everything before the enacting clause
4342 and insert:

4343 A bill to be entitled
4344 An act relating to education; creating s. 212.1832,
4345 F.S.; authorizing certain persons to receive a tax
4346 credit for certain contributions to eligible nonprofit
4347 scholarship-funding organizations for the Hope
4348 Scholarship Program; providing requirements for motor
4349 vehicle dealers; requiring the Department of Revenue
4350 to disregard certain tax credits for specified
4351 purposes; providing that specified provisions apply to
4352 certain provisions; amending s. 213.053, F.S.;
4353 authorizing the Department of Revenue to share
4354 specified information with eligible nonprofit
4355 scholarship-funding organizations; providing that
4356 certain requirements apply to such organizations;
4357 repealing ch. 623, F.S., relating to private school
4358 corporations, on a specified date; amending s.
4359 1001.10, F.S.; revising the private schools to which
4360 the Department of Education is required to provide



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4361 technical assistance and authorized staff; amending s.
4362 1001.4205, F.S.; authorizing a member of the State
4363 Legislature to visit any district school, including
4364 any charter school, in his or her legislative
4365 district; amending s. 1002.01, F.S.; revising and
4366 defining terms; amending s. 1002.20, F.S.; updating
4367 educational options and terminology; amending s.
4368 1002.33, F.S.; revising the criteria for denying high-
4369 performing charter school system applications;
4370 revising requirements for the term of a charter;
4371 revising provisions for the modification of and the
4372 nonrenewal or termination of a charter; revising the
4373 process for resolving contractual disputes; amending
4374 s. 1002.331, F.S.; revising the calculation used to
4375 determine facility capacity for such charter schools;
4376 revising the number of schools that can be established
4377 by a high-performing charter school; amending s.
4378 1002.333, F.S.; redefining the terms "persistently
4379 low-performing school" and "school of hope"; revising
4380 the required contents of a school of hope notice of
4381 intent and performance-based agreement; revising
4382 school of hope facility requirements; specifying that
4383 certain schools of hope are eligible to receive hope
4384 supplemental service allocation funds; requiring the
4385 State Board of Education to provide awards to all
4386 eligible schools that meet certain requirements;
4387 providing for certain funds for the Schools of Hope
4388 Program to be carried forward for a specified number
4389 of years; prohibiting a school of hope operator or



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4390 owner from serving as the principal of a school of
4391 hope that he or she manages; conforming cross-
4392 references; creating s. 1002.334, F.S.; defining the
4393 term "franchise model school"; authorizing specified
4394 schools to use a franchise model school as a
4395 turnaround option; specifying requirements for a
4396 franchise model school principal; amending s. 1002.37,
4397 F.S.; requiring school districts to provide Florida
4398 Virtual School students access to certain examinations
4399 and assessments and certain information; amending s.
4400 1002.385, F.S.; revising the meaning of a rare disease
4401 within the definition of a "disability" for purposes
4402 of the Gardiner Scholarship Program; revising
4403 requirements for private schools that participate in
4404 the program; specifying that the failure or refusal,
4405 rather than the inability of, a private school to meet
4406 certain requirements constitutes a basis for program
4407 ineligibility; conforming cross-references; amending
4408 s. 1002.39, F.S.; revising the purpose of department
4409 site visits at private schools participating in the
4410 John M. McKay Scholarships for Students with
4411 Disabilities Program; authorizing the department to
4412 make followup site visits at any time to certain
4413 private schools; requiring participating private
4414 schools to provide a specified report from an
4415 independent certified public accountant under certain
4416 circumstances; specifying that the failure or refusal,
4417 rather than the inability of, a private school to meet
4418 certain requirements constitutes a basis for program



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4419 ineligibility; conforming provisions to changes made
4420 by the act; amending s. 1002.395, F.S.; revising
4421 obligations of eligible nonprofit scholarship-funding
4422 organizations participating in the Florida Tax Credit
4423 Scholarship Program; specifying that the failure or
4424 refusal, rather than the inability of, a private
4425 school to meet certain requirements constitutes a
4426 basis for program ineligibility; revising the purpose
4427 of department site visits at private schools
4428 participating in the Florida Tax Credit Scholarship
4429 Program; authorizing the department to make followup
4430 site visits at any time to certain private schools;
4431 conforming provisions to changes made by the act;
4432 creating s. 1002.40, F.S.; establishing the Hope
4433 Scholarship Program; providing the purpose of the
4434 program; defining terms; providing eligibility
4435 requirements; prohibiting the payment of a scholarship
4436 under certain circumstances; requiring a principal to
4437 provide copies of a report of physical violence or
4438 emotional abuse to certain individuals within
4439 specified timeframes; requiring the principal to
4440 investigate such incidents; requiring a school
4441 district to notify an eligible student's parent of the
4442 program under certain circumstances; requiring a
4443 school district to provide certain information
4444 relating to the statewide assessment program;
4445 providing requirements and obligations for eligible
4446 private schools; providing Department of Education
4447 obligations relating to participating students and



4448 private schools and program requirements; providing
4449 Commissioner of Education obligations; requiring the
4450 commissioner to deny, suspend, or revoke a private
4451 school's participation in the program or the payment
4452 of scholarship funds under certain circumstances;
4453 defining the term "owner or operator"; providing a
4454 process for review of a decision from the commissioner
4455 under certain circumstances; providing for the release
4456 of personally identifiable student information under
4457 certain circumstances; providing parent and student
4458 responsibilities for initial and continued
4459 participation in the program; providing nonprofit
4460 scholarship-funding organization obligations;
4461 providing for the calculation of the scholarship
4462 amount; providing the scholarship amount for students
4463 transferred to certain public schools; requiring
4464 verification of specified information before a
4465 scholarship may be disbursed; providing requirements
4466 for the scholarship payments; providing funds for
4467 administrative expenses for certain nonprofit
4468 scholarship-funding organizations; providing
4469 requirements for administrative expenses; prohibiting
4470 a nonprofit scholarship-funding organization from
4471 charging an application fee; providing Auditor General
4472 obligations; providing requirements for taxpayer
4473 elections to contribute to the program; requiring the
4474 Department of Revenue to adopt forms to administer the
4475 program; providing requirements for certain agents of
4476 the Department of Revenue and motor vehicle dealers;



4477 providing reporting requirements for nonprofit
4478 scholarship-funding organizations relating to taxpayer
4479 contributions; providing penalties; providing for the
4480 restitution of specified funds under certain
4481 circumstances; providing the state is not liable for
4482 the award or use of program funds; prohibiting
4483 additional regulations for private schools
4484 participating in the program beyond those necessary to
4485 enforce program requirements; requiring the State
4486 Board of Education to adopt rules to administer the
4487 program; creating s. 1002.411, F.S.; establishing
4488 reading scholarship accounts for specified purposes;
4489 providing for eligibility for scholarships; providing
4490 for administration; providing duties of the Department
4491 of Education; providing school district obligations;
4492 specifying options for parents; providing that maximum
4493 funding shall be specified in the General
4494 Appropriations Act; providing for payment of funds;
4495 specifying that no state liability arises from the
4496 award or use of a reading scholarship account;
4497 amending s. 1002.421, F.S.; defining the term "owner
4498 or operator"; requiring a private school to employ or
4499 contract with teachers who meet certain qualifications
4500 and provide information about such qualifications to
4501 the department and parents; revising the conditions
4502 under which a private school employee may be exempted
4503 from background screening requirements; specifying
4504 that a private school is ineligible to participate in
4505 certain scholarship programs under certain



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4506 circumstances; requiring the department to annually
4507 visit a certain percentage of certain private schools;
4508 authorizing the department to make certain followup
4509 site visits at any time; requiring the Division of
4510 State Fire Marshal to annually provide the department
4511 with fire safety inspection reports for certain
4512 private schools; requiring that certain private
4513 schools provide the department with a report from an
4514 independent certified public accountant under certain
4515 circumstances; repealing s. 1002.43, F.S., relating to
4516 private tutoring programs; amending s. 1002.45, F.S.;
4517 revising documentation requirements for virtual
4518 education providers; providing for the automatic
4519 termination of a virtual instruction provider's
4520 contract under certain circumstances; authorizing the
4521 State Board of Education to grant a waiver of such
4522 termination; amending s. 1002.55, F.S.; authorizing an
4523 early learning coalition to refuse to contract with
4524 certain private prekindergarten providers; amending s.
4525 1003.01, F.S.; redefining the term "regular school
4526 attendance"; amending s. 1003.26, F.S.; conforming a
4527 cross-reference; amending s. 1003.41, F.S.; revising
4528 the requirements for the Next Generation Sunshine
4529 State Standards to include financial literacy;
4530 amending s. 1003.4282, F.S.; revising the required
4531 credits for a standard high school diploma to include
4532 one-half credit of instruction in personal financial
4533 literacy and money management and seven and one-half,
4534 rather than eight, credits in electives; amending s.



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4535 1003.44, F.S.; requiring each district school board to
4536 adopt rules for the display of the official state
4537 motto in specified places; amending s. 1003.453, F.S.;
4538 conforming provisions to changes made by the act;
4539 creating s. 1003.457, F.S.; requiring school districts
4540 to provide instruction in cardiopulmonary
4541 resuscitation (CPR) and the use of an automated
4542 external defibrillator; requiring students to study
4543 and practice psychomotor skills associated with CPR at
4544 least once before graduating from high school;
4545 requiring the instruction to be a part of a required
4546 curriculum; providing instruction to be based on
4547 certain programs; providing an exemption; creating s.
4548 1006.05, F.S.; providing the purpose of the mental
4549 health assistance allocation; requiring that school
4550 districts and charter schools annually develop and
4551 submit certain detailed plans; requiring that approved
4552 charter school plans be provided to the district for
4553 submission to the Commissioner of Education; providing
4554 that required plans must include certain elements;
4555 requiring school districts to annually submit approved
4556 plans to the commissioner by a specified date;
4557 requiring that entities receiving such allocations
4558 annually submit a final report on program outcomes and
4559 specific expenditures to the commissioner by a
4560 specified date; amending s. 1006.061, F.S.; revising
4561 the applicability of certain child abuse, abandonment,
4562 and neglect provisions; amending s. 1006.07, F.S.;
4563 requiring district school boards to formulate and



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4564 prescribe policies and procedures for active shooter
4565 situations; requiring that active shooter situation
4566 training for each school be conducted by the law
4567 enforcement agency or agencies that are designated as
4568 first responders to the school's campus; requiring
4569 each school district to conduct certain assessments in
4570 a specified format; requiring a district school
4571 superintendent to provide specified agencies with
4572 certain findings and certain strategy and activity
4573 recommendations to improve school safety and security;
4574 requiring that district school boards and private
4575 school principals or governing boards allow campus
4576 tours by such law enforcement agency or agencies at
4577 specified times and for specified purposes; requiring
4578 that certain recommendations be documented by such
4579 board or principal; amending s. 1006.12, F.S.;
4580 requiring, rather than authorizing, district school
4581 boards to establish certain school resource officer
4582 programs; requiring a district school board to
4583 commission one or more school safety officers at each
4584 district school facility within the district; amending
4585 s. 1007.271, F.S.; deleting a requirement for a home
4586 education student to provide his or her own
4587 instructional materials; revising the requirements for
4588 home education and private school articulation
4589 agreements; amending s. 1007.273, F.S.; defining the
4590 term "structured program"; providing additional
4591 options for students participating in a structured
4592 program; prohibiting a district school board from



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4593 limiting the number of public school students who may
4594 participate in a structured program; revising contract
4595 requirements; requiring each district school board to
4596 annually notify students in certain grades of certain
4597 information about the structured program, by a
4598 specified date; revising provisions relating to
4599 funding; requiring the state board to enforce
4600 compliance with certain provisions by a specified date
4601 each year; providing reporting requirements; amending
4602 s. 1008.33, F.S.; revising the turnaround options
4603 available for certain schools; amending s. 1011.62,
4604 F.S.; prohibiting the award of certain bonuses to
4605 teachers who fail to maintain the security of certain
4606 examinations or violate certain protocols; authorizing
4607 the state board to adopt rules for specified purposes;
4608 creating the hope supplemental services allocation;
4609 providing the purpose of the allocation; specifying
4610 the services that may be funded by the allocation;
4611 providing that implementation plans may include
4612 certain models; providing requirements for
4613 implementation plans; providing for the allocation of
4614 funds in specified fiscal years; creating the mental
4615 health assistance allocation; providing the purpose of
4616 the allocation; requiring that funds be allocated
4617 annually in the General Appropriations Act; providing
4618 for the allocation of such funds on a specified basis;
4619 providing that eligible charter schools are entitled
4620 to a proportionate share; prohibiting the use of
4621 allocated funds to supplant funds provided from other



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4622 operating funds, to increase salaries, or to provide
4623 bonuses, except in certain circumstances; requiring
4624 that school districts and schools maximize certain
4625 third-party funding; creating the funding compression
4626 allocation; providing the purpose of the allocation;
4627 authorizing funding for the annual allocation;
4628 providing the calculation for the allocation; amending
4629 s. 1011.69, F.S.; authorizing certain high schools to
4630 receive Title I funds; providing that a school
4631 district may withhold Title I funds for specified
4632 purposes; authorizing certain schools to use Title I
4633 funds for specified purposes; amending s. 1011.71,
4634 F.S.; increasing the amount that a school district may
4635 expend from a specified millage levy for certain
4636 expenses; amending s. 1012.2315, F.S.; requiring
4637 certain employee organizations to include specified
4638 information in a specified application and to petition
4639 for recertification for specified purposes; amending
4640 s. 1012.315, F.S.; revising the applicability of
4641 certain provisions related to disqualification from
4642 employment for the conviction of specified offenses;
4643 amending s. 1012.32, F.S.; requiring a district school
4644 board to reimburse certain costs if it fails to notify
4645 a charter school of the eligibility status of certain
4646 persons; amending s. 1012.562, F.S.; authorizing
4647 charter schools and charter management organizations
4648 to offer school leader preparation programs; amending
4649 s. 1012.731, F.S.; extending eligibility for the
4650 Florida Best and Brightest Teacher Scholarship Program



4651 to school district employees who, in the immediately
4652 preceding school year, were classroom teachers and met
4653 eligibility requirements; deleting scholarship awards
4654 authorized for specific school years; amending s.
4655 1012.732, F.S.; specifying that a franchise model
4656 school principal is eligible to receive a Florida Best
4657 and Brightest Principal scholarship; requiring
4658 specified awards for eligible principals; amending s.
4659 1012.796, F.S.; revising the applicability of a
4660 requirement that certain private schools file
4661 specified reports with the department for certain
4662 allegations against its employees; amending s.
4663 1012.98, F.S.; requiring professional development
4664 resources to include sample course-at-a-glance and
4665 unit overview templates; providing requirements for
4666 such templates; amending s. 1013.28, F.S.; requiring
4667 school districts to provide charter schools access to
4668 certain property on the same basis as public schools;
4669 prohibiting certain actions by a charter school
4670 without the written permission of the school district;
4671 amending s. 1013.31, F.S.; authorizing a district to
4672 use certain sources of funds for educational,
4673 auxiliary, and ancillary plant capital outlay purposes
4674 without needing a survey recommendation; amending s.
4675 1013.385, F.S.; providing additional exceptions to
4676 certain building code regulations for school
4677 districts; amending s. 1013.62, F.S.; providing
4678 legislative intent; prohibiting a charter school from
4679 being eligible for capital outlay funds unless the



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4680 chair of the governing board and the chief
4681 administrative officer of the charter school annually
4682 certify certain information; defining the term
4683 "affiliated party of the charter school"; revising the
4684 Department of Education's calculation methodology for
4685 a school district's distribution of discretionary
4686 millage to its eligible charter schools; amending s.
4687 212.08, F.S.; conforming a cross-reference; providing
4688 appropriations; providing appropriations; authorizing
4689 the Department of Revenue to adopt emergency rules for
4690 specified purposes; providing effective dates.