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LEGISLATIVE ACTION

Senate	.	House
Comm: RE	.	
02/21/2018	.	
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The Committee on Education (Hukill) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

212.1832 Credit for contributions to the Hope Scholarship
Program.—

(1) Upon adoption of rules, the purchaser of a motor
vehicle shall be granted a credit of 100 percent of an eligible
contribution made to an eligible nonprofit scholarship-funding



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12 organization under s. 1002.40 against any tax imposed by the
13 state and collected from the purchaser by a dealer, designated
14 agent, or private tag agent as a result of the purchase or
15 acquisition of a motor vehicle. For purposes of this subsection,
16 the term "purchase" does not include the lease or rental of a
17 motor vehicle.

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

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

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

31 213.053 Confidentiality and information sharing.—

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



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41 were collected by the dealer but never remitted to the
42 organization.

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

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

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

54 1001.10 Commissioner of Education; general powers and
55 duties.—

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

65 (5) The Department of Education shall provide authorized
66 staff of school districts, charter schools, the Florida School
67 for the Deaf and the Blind, and private schools that accept
68 scholarship students under s. 1002.385, s. 1002.39, ~~or~~ s.
69 1002.395, or another state scholarship program under chapter



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70 1002 with access to electronic verification of information from
71 the following employment screening tools:

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

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

76

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

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

85 1001.4205 Visitation of schools ~~by an individual school~~
86 ~~board or charter school governing board member.~~-An individual
87 member of a district school board may, on any day and at any
88 time at his or her pleasure, visit any district school in his or
89 her school district. An individual member of the State
90 Legislature may, on any day and at any time at his or her
91 pleasure, visit any district school, including any charter
92 school, in his or her legislative district. An individual member
93 of a charter school governing board ~~member~~ may, on any day and
94 at any time at his or her pleasure, visit any charter school
95 governed by the charter school's governing board.

96 (1) The visiting individual ~~board member~~ must sign in and
97 sign out at the school's main office and wear his or her board
98 or State Legislature identification badge, as applicable, at all



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99 times while present on school premises.

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

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

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

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

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

119 1002.01 Definitions.—

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

124 (2) A "private school" is a nonpublic school that is
125 registered in accordance with s. 1002.42 and is defined as an
126 individual, association, copartnership, or corporation, or
127 department, division, or section of such organizations, that



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

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

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

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

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

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

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

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



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157 1002.20 K-12 student and parent rights.—Parents of public
158 school students must receive accurate and timely information
159 regarding their child’s academic progress and must be informed
160 of ways they can help their child to succeed in school. K-12
161 students and their parents are afforded numerous statutory
162 rights including, but not limited to, the following:

163 (2) ATTENDANCE.—

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

173 (6) EDUCATIONAL CHOICE.—

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



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186 admissions, credit by examination or demonstration of
187 competency, the New World School of the Arts, the Florida School
188 for the Deaf and the Blind, and the Florida Virtual School.
189 These options may also include the public educational choice
190 options of the Opportunity Scholarship Program and the McKay
191 Scholarships for Students with Disabilities Program.

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

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

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

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

212 4. Under the Hope Scholarship Program, the parent of a
213 student who was the victim of a substantiated incident of
214 violence or abuse while attending a public school may seek a



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215 scholarship for the student to attend a private school in
216 accordance with s. 1002.40.

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

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

223 Section 8. Paragraph (b) of subsection (6) of section
224 1002.33, Florida Statutes, is amended to read:

225 1002.33 Charter schools.—

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

228 (b) A sponsor shall receive and review all applications for
229 a charter school using the evaluation instrument developed by
230 the Department of Education. A sponsor shall receive and
231 consider charter school applications received on or before
232 August 1 of each calendar year for charter schools to be opened
233 at the beginning of the school district's next school year, or
234 to be opened at a time agreed to by the applicant and the
235 sponsor. A sponsor may not refuse to receive a charter school
236 application submitted before August 1 and may receive an
237 application submitted later than August 1 if it chooses.

238 Beginning in 2018 and thereafter, a sponsor shall receive and
239 consider charter school applications received on or before
240 February 1 of each calendar year for charter schools to be
241 opened 18 months later at the beginning of the school district's
242 school year, or to be opened at a time agreed to by the
243 applicant and the sponsor. A sponsor may not refuse to receive a



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244 charter school application submitted before February 1 and may
245 receive an application submitted later than February 1 if it
246 chooses. A sponsor may not charge an applicant for a charter any
247 fee for the processing or consideration of an application, and a
248 sponsor may not base its consideration or approval of a final
249 application upon the promise of future payment of any kind.
250 Before approving or denying any application, the sponsor shall
251 allow the applicant, upon receipt of written notification, at
252 least 7 calendar days to make technical or nonsubstantive
253 corrections and clarifications, including, but not limited to,
254 corrections of grammatical, typographical, and like errors or
255 missing signatures, if such errors are identified by the sponsor
256 as cause to deny the final application.

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

266 2. In order to ensure fiscal responsibility, an application
267 for a charter school shall include a full accounting of expected
268 assets, a projection of expected sources and amounts of income,
269 including income derived from projected student enrollments and
270 from community support, and an expense projection that includes
271 full accounting of the costs of operation, including start-up
272 costs.



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

286 b. An application submitted by a high-performing charter
287 school identified pursuant to s. 1002.331 or a high-performing
288 charter school system identified pursuant to s. 1002.332 may be
289 denied by the sponsor only if the sponsor demonstrates by clear
290 and convincing evidence that:

291 (I) The application does not materially comply with the
292 requirements in paragraph (a);

293 (II) The charter school proposed in the application does
294 not materially comply with the requirements in paragraphs
295 (9) (a) - (f);

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

299 (IV) The applicant has made a material misrepresentation or
300 false statement or concealed an essential or material fact
301 during the application process; or



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

305
306 Material noncompliance is a failure to follow requirements or a
307 violation of prohibitions applicable to charter school
308 applications, which failure is quantitatively or qualitatively
309 significant either individually or when aggregated with other
310 noncompliance. An applicant is considered to be replicating a
311 high-performing charter school if the proposed school is
312 substantially similar to at least one of the applicant's high-
313 performing charter schools and the organization or individuals
314 involved in the establishment and operation of the proposed
315 school are significantly involved in the operation of replicated
316 schools.

317 c. If the sponsor denies an application submitted by a
318 high-performing charter school or a high-performing charter
319 school system, the sponsor must, within 10 calendar days after
320 such denial, state in writing the specific reasons, based upon
321 the criteria in sub-subparagraph b., supporting its denial of
322 the application and must provide the letter of denial and
323 supporting documentation to the applicant and to the Department
324 of Education. The applicant may appeal the sponsor's denial of
325 the application in accordance with paragraph (c).

326 4. For budget projection purposes, the sponsor shall report
327 to the Department of Education the approval or denial of an
328 application within 10 calendar days after such approval or
329 denial. In the event of approval, the report to the Department
330 of Education shall include the final projected FTE for the



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331 approved charter school.

332 5. Upon approval of an application, the initial startup
333 shall commence with the beginning of the public school calendar
334 for the district in which the charter is granted. A charter
335 school may defer the opening of the school's operations for up
336 to 3 ~~2~~ years to provide time for adequate facility planning. The
337 charter school must provide written notice of such intent to the
338 sponsor and the parents of enrolled students at least 30
339 calendar days before the first day of school.

340 Section 9. Subsection (1) of section 1002.331, Florida
341 Statutes, is amended to read:

342 1002.331 High-performing charter schools.—

343 (1) A charter school is a high-performing charter school if
344 it:

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

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

352 (c) Did not receive a financial audit that revealed one or
353 more of the financial emergency conditions set forth in s.
354 218.503(1) in the most recent 3 fiscal years for which such
355 audits are available. However, this requirement is deemed met
356 for a charter school-in-the-workplace if there is a finding in
357 an audit that the school has the monetary resources available to
358 cover any reported deficiency or that the deficiency does not
359 result in a deteriorating financial condition pursuant to s.



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360 1002.345(1)(a)3.

361

362 For purposes of determining initial eligibility, the
363 requirements of paragraphs (b) and (c) only apply to the most
364 recent 2 fiscal years if the charter school earns two
365 consecutive grades of "A." A virtual charter school established
366 under s. 1002.33 is not eligible for designation as a high-
367 performing charter school.

368 Section 10. Present subsections (11) and (12) of section
369 1002.333, Florida Statutes, are redesignated as subsections (12)
370 and (13), respectively, a new subsection (11) is added to that
371 section, and subsections (1) and (2), paragraph (a) of
372 subsection (4), paragraphs (b), (g), and (i) of subsection (5),
373 paragraph (a) of subsection (7), subsection (9), and paragraph
374 (b) of subsection (10) of that section are amended, to read:

375 1002.333 Persistently low-performing schools.—

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

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

379 (b) "Persistently low-performing school" means a school
380 that has completed 2 school years of a district-managed
381 turnaround plan required under s. 1008.33(4)(a) and has not
382 improved its school grade to a "C" or higher, earned three
383 consecutive grades lower than a "C," pursuant to s. 1008.34, and
384 a school that was closed pursuant to s. 1008.33(4) within 2
385 years after the submission of a notice of intent.

386 (c) "School of hope" means:

387 1. A charter school operated by a hope operator which
388 serves students from one or more persistently low-performing



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389 schools~~;~~ is located in the attendance zone of a persistently
390 low-performing school ~~or within a 5-mile radius of such school,~~
391 ~~whichever is greater;~~ and is a Title I eligible school; or

392 2. A school operated by a hope operator pursuant to s.
393 1008.33(4)(b)3.b. ~~s. 1008.33(4)(b)3.~~

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

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

403 1. The achievement of enrolled students exceeds the
404 district and state averages of the states in which the
405 operator's schools operate;

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

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

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

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

417 6. Other outcome measures as determined by the State Board



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418 of Education;

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

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

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

428

429 An entity that meets the requirements of paragraph (b),
430 paragraph (c), or paragraph (d) before the adoption by the state
431 board of measurable criteria pursuant to paragraph (a) shall be
432 designated as a hope operator. After the adoption of the
433 measurable criteria, an entity, including a governing board that
434 operates a school established pursuant to s. 1008.33(4)(b)3.b.
435 ~~s. 1008.33(4)(b)3.~~, shall be designated as a hope operator if it
436 meets the criteria of paragraph (a).

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

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

443 1. An academic focus and plan.

444 2. A financial plan.

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



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- 447 4. A completed or planned community outreach plan.
- 448 5. The organizational history of success in working with
449 students with similar demographics.
- 450 6. The grade levels to be served and enrollment
451 projections.
- 452 7. The specific proposed location or geographic area
453 proposed for the school and its proximity to the persistently
454 low-performing school or the plan to use the district-owned
455 facilities of the persistently low-performing school.
- 456 8. A staffing plan.
- 457 9. An operations plan specifying the operator's intent to
458 undertake the operations of the persistently low-performing
459 school in its entirety or through limited components of the
460 operations.
- 461 (5) PERFORMANCE-BASED AGREEMENT.—The following shall
462 comprise the entirety of the performance-based agreement:
- 463 ~~(b) The location or geographic area proposed for the school~~
464 ~~of hope and its proximity to the persistently low-performing~~
465 ~~school.~~
- 466 (f) ~~(g)~~ The grounds for termination, including failure to
467 meet the requirements for student performance established
468 pursuant to paragraph (d) ~~(e)~~, generally accepted standards of
469 fiscal management, or material violation of terms of the
470 agreement. The nonrenewal or termination of a performance-based
471 agreement must comply with the requirements of s. 1002.33(8).
- 472 (h) ~~(i)~~ A provision establishing the initial term as 5
473 years. The agreement must ~~shall~~ be renewed, upon the request of
474 the hope operator, unless the school fails to meet the
475 requirements for student performance established pursuant to



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476 paragraph (d) ~~(e)~~ or generally accepted standards of fiscal
477 management or the school of hope materially violates the law or
478 the terms of the agreement.

479 (7) FACILITIES.—

480 (a)1. A school of hope that meets the definition under
481 subparagraph (1)(c)1. shall use facilities that comply with the
482 Florida Building Code, except for the State Requirements for
483 Educational Facilities. ~~A school of hope that uses school~~
484 ~~district facilities must comply with the State Requirements for~~
485 ~~Educational Facilities only if the school district and the hope~~
486 ~~operator have entered into a mutual management plan for the~~
487 ~~reasonable maintenance of such facilities. The mutual management~~
488 ~~plan shall contain a provision by which the district school~~
489 ~~board agrees to maintain the school facilities in the same~~
490 ~~manner as its other public schools within the district.~~

491 2. A school of hope that meets the definition under
492 subparagraph (1)(c)2. and that receives funds from the hope
493 supplemental services allocation under s. 1011.62(16) shall use
494 the district-owned facilities of the persistently low-performing
495 school that the school of hope operates. A school of hope that
496 uses district-owned facilities must enter into a mutual
497 management plan with the school district for the reasonable
498 maintenance of the facilities. The mutual management plan must
499 contain a provision specifying that the district school board
500 agrees to maintain the school facilities in the same manner as
501 other public schools within the district.

502
503 The local governing authority shall not adopt or impose any
504 local building requirements or site-development restrictions,



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505 such as parking and site-size criteria, student enrollment, and
506 occupant load, that are addressed by and more stringent than
507 those found in the State Requirements for Educational Facilities
508 of the Florida Building Code. A local governing authority must
509 treat schools of hope equitably in comparison to similar
510 requirements, restrictions, and site planning processes imposed
511 upon public schools. The agency having jurisdiction for
512 inspection of a facility and issuance of a certificate of
513 occupancy or use shall be the local municipality or, if in an
514 unincorporated area, the county governing authority. If an
515 official or employee of the local governing authority refuses to
516 comply with this paragraph, the aggrieved school or entity has
517 an immediate right to bring an action in circuit court to
518 enforce its rights by injunction. An aggrieved party that
519 receives injunctive relief may be awarded reasonable attorney
520 fees and court costs.

521 (9) FUNDING.—

522 (a) Schools of hope shall be funded in accordance with s.
523 1002.33(17).

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

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

530 (d) Schools of hope that meet the definition under
531 subparagraph (1)(c)1. are eligible to receive funds from the
532 Schools of Hope Program.

533 (e) Schools of hope that meet the definition under



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534 subparagraph (1)(c)2. are eligible to receive funds from the
535 hope supplemental services allocation established under s.
536 1011.62(16).

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

539 (b) A traditional public school that is required to submit
540 a plan for implementation pursuant to s. 1008.33(4) is eligible
541 to receive funding for services authorized up to \$2,000 per
542 full-time equivalent student from the hope supplemental services
543 allocation established under s. 1011.62(16) Schools of Hope
544 Program based upon the strength of the school's plan for
545 implementation and its focus on evidence-based interventions
546 that lead to student success by providing wrap-around services
547 that leverage community assets, improve school and community
548 collaboration, and develop family and community partnerships.
549 Wrap-around services include, but are not limited to, tutorial
550 and after-school programs, student counseling, nutrition
551 education, parental counseling, and adult education. Plans for
552 implementation may also include models that develop a culture of
553 attending college, high academic expectations, character
554 development, dress codes, and an extended school day and school
555 year. At a minimum, a plan for implementation must:

556 1. Establish wrap-around services that develop family and
557 community partnerships.

558 2. Establish clearly defined and measurable high academic
559 and character standards.

560 3. Increase parental involvement and engagement in the
561 child's education.

562 4. Describe how the school district will identify, recruit,



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563 ~~retain, and reward instructional personnel. The state board may~~
564 ~~waive the requirements of s. 1012.22(1)(c)5., and suspend the~~
565 ~~requirements of s. 1012.34, to facilitate implementation of the~~
566 ~~plan.~~

567 ~~5. Identify a knowledge-rich curriculum that the school~~
568 ~~will use that focuses on developing a student's background~~
569 ~~knowledge.~~

570 ~~6. Provide professional development that focuses on~~
571 ~~academic rigor, direct instruction, and creating high academic~~
572 ~~and character standards.~~

573 (11) SCHOOLS OF HOPE MANAGEMENT.-A hope operator or the
574 owner of a school of hope may not serve as the principal of any
575 school that he or she manages.

576 Section 11. Section 1002.334, Florida Statutes, is created
577 to read:

578 1002.334 Franchise model schools.-

579 (1) As used in this section, the term "franchise model
580 school" means a persistently low-performing school, as defined
581 in s. 1002.333(1)(b), which is led by a highly effective
582 principal in addition to the principal's currently assigned
583 school. If a franchise model school achieves a grade of "C" or
584 higher, the school may retain its status as a franchise model
585 school at the discretion of the school district.

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

589 (3) A franchise model school principal:

590 (a) Must be rated as highly effective pursuant to s.
591 1012.34;



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592 (b) May lead two or more schools, including a persistently
593 low-performing school or a school that was considered a
594 persistently low-performing school before becoming a franchise
595 model school;

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

600 (d) Is eligible to receive a Best and Brightest Principal
601 award under s. 1012.732.

602 Section 12. Paragraph (d) of subsection (2), paragraphs (d)
603 and (h) of subsection (5), subsection (8), and paragraph (a) of
604 subsection (11) of section 1002.385, Florida Statutes, are
605 amended to read:

606 1002.385 The Gardiner Scholarship.—

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

608 (d) "Disability" means, for a 3- or 4-year-old child or for
609 a student in kindergarten to grade 12, autism spectrum disorder,
610 as defined in the Diagnostic and Statistical Manual of Mental
611 Disorders, Fifth Edition, published by the American Psychiatric
612 Association; cerebral palsy, as defined in s. 393.063(6); Down
613 syndrome, as defined in s. 393.063(15); an intellectual
614 disability, as defined in s. 393.063(24); Phelan-McDermid
615 syndrome, as defined in s. 393.063(28); Prader-Willi syndrome,
616 as defined in s. 393.063(29); spina bifida, as defined in s.
617 393.063(40); being a high-risk child, as defined in s.
618 393.063(23) (a); muscular dystrophy; Williams syndrome; a rare
619 disease, a disorder that affects ~~diseases which affect~~ patient
620 populations of ~~fewer than~~ 200,000 individuals or fewer in the



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621 United States, as defined by the Orphan Drug Act of 1983, Pub.
622 L. No. 97-414 ~~National Organization for Rare Disorders;~~
623 anaphylaxis; deaf; visually impaired; traumatic brain injured;
624 hospital or homebound; or identification as dual sensory
625 impaired, as defined by rules of the State Board of Education
626 and evidenced by reports from local school districts. The term
627 "hospital or homebound" includes a student who has a medically
628 diagnosed physical or psychiatric condition or illness, as
629 defined by the state board in rule, and who is confined to the
630 home or hospital for more than 6 months.

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

634 (d) Enrollment in, or tuition or fees associated with
635 enrollment in, a home education program, an eligible private
636 school, an eligible postsecondary educational institution or a
637 program offered by the institution, ~~a private tutoring program~~
638 ~~authorized under s. 1002.43,~~ a virtual program offered by a
639 department-approved private online provider that meets the
640 provider qualifications specified in s. 1002.45(2)(a), the
641 Florida Virtual School as a private paying student, or an
642 approved online course offered pursuant to s. 1003.499 or s.
643 1004.0961.

644 (h) Tuition and fees for part-time tutoring services
645 provided by a person who holds a valid Florida educator's
646 certificate pursuant to s. 1012.56; a person who holds an
647 adjunct teaching certificate pursuant to s. 1012.57; or a person
648 who has demonstrated a mastery of subject area knowledge
649 pursuant to s. 1012.56(5). As used in this paragraph, the term



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650 "part-time tutoring services" does not qualify as regular school
651 attendance as defined in s. 1003.01(13) ~~s. 1003.01(13)(e)~~.

652

653 A provider of any services receiving payments pursuant to this
654 subsection may not share, refund, or rebate any moneys from the
655 Gardiner Scholarship with the parent or participating student in
656 any manner. A parent, student, or provider of any services may
657 not bill an insurance company, Medicaid, or any other agency for
658 the same services that are paid for using Gardiner Scholarship
659 funds.

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

662 (a) Comply with all requirements for private schools
663 participating in state school choice scholarship programs
664 pursuant to s. 1002.421.

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

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

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

672 2. Annually administering or making provision for students
673 participating in the program in grades 3 through 10 to take one
674 of the nationally norm-referenced tests identified by the
675 Department of Education or the statewide assessments pursuant to
676 s. 1008.22. Students with disabilities for whom standardized
677 testing is not appropriate are exempt from this requirement. A
678 participating private school shall report a student's scores to



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679 the parent.

680 3. Cooperating with the scholarship student whose parent
681 chooses to have the student participate in the statewide
682 assessments pursuant to s. 1008.22 or, if a private school
683 chooses to offer the statewide assessments, administering the
684 assessments at the school.

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

688 b. A participating private school shall submit a request in
689 writing to the Department of Education by March 1 of each year
690 in order to administer the statewide assessments in the
691 subsequent school year.

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

695 (e) Provide a report from an independent certified public
696 accountant who performs the agreed-upon procedures developed
697 under s. 1002.395(6)(o) if the private school receives more than
698 \$250,000 in funds from scholarships awarded under this chapter
699 ~~section~~ in a state fiscal year. A private school subject to this
700 paragraph must annually submit the report by September 15 to the
701 organization that awarded the majority of the school's
702 scholarship funds. The agreed-upon procedures must be conducted
703 in accordance with attestation standards established by the
704 American Institute of Certified Public Accountants.

705

706 If a private school fails or refuses ~~is unable~~ to meet the
707 requirements of this subsection or has consecutive years of



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708 material exceptions listed in the report required under
709 paragraph (e), the commissioner may determine that the private
710 school is ineligible to participate in the program.

711 (11) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
712 PARTICIPATION.—A parent who applies for program participation
713 under this section is exercising his or her parental option to
714 determine the appropriate placement or the services that best
715 meet the needs of his or her child. The scholarship award for a
716 student is based on a matrix that assigns the student to support
717 Level III services. If a parent receives an IEP and a matrix of
718 services from the school district pursuant to subsection (7),
719 the amount of the payment shall be adjusted as needed, when the
720 school district completes the matrix.

721 (a) To satisfy or maintain program eligibility, including
722 eligibility to receive and spend program payments, the parent
723 must sign an agreement with the organization and annually submit
724 a notarized, sworn compliance statement to the organization to:

725 1. Affirm that the student is enrolled in a program that
726 meets regular school attendance requirements as provided in s.
727 1003.01(13)(b) or (c) ~~s. 1003.01(13)(b)-(d)~~.

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

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

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

735 b. Providing an annual evaluation in accordance with s.
736 1002.41(1)(c); or



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737 c. Requiring the child to take any preassessments and
738 postassessments selected by the provider if the child is 4 years
739 of age and is enrolled in a program provided by an eligible
740 Voluntary Prekindergarten Education Program provider. A student
741 with disabilities for whom a preassessment and postassessment is
742 not appropriate is exempt from this requirement. A participating
743 provider shall report a student's scores to the parent.

744 4. Affirm that the student remains in good standing with
745 the provider or school if those options are selected by the
746 parent.

747
748 A parent who fails to comply with this subsection forfeits the
749 Gardiner Scholarship.

750 Section 13. Subsection (3), paragraph (f) of subsection
751 (6), and subsection (8) of section 1002.39, Florida Statutes,
752 are amended to read:

753 1002.39 The John M. McKay Scholarships for Students with
754 Disabilities Program.—There is established a program that is
755 separate and distinct from the Opportunity Scholarship Program
756 and is named the John M. McKay Scholarships for Students with
757 Disabilities Program.

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

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

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

765 (c) While he or she is receiving an educational scholarship



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766 pursuant to this chapter;

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

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

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

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

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

783 (h) ~~(i)~~ If he or she has been issued a temporary 504
784 accommodation plan under s. 504 of the Rehabilitation Act of
785 1973 which is valid for 6 months or less.

786 (6) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department
787 shall:

788 (f)1. Conduct ~~random~~ site visits to private schools
789 participating in the John M. McKay Scholarships for Students
790 with Disabilities Program as authorized under s. 1002.421(7).
791 The purposes ~~purpose~~ of the site visits are ~~is solely~~ to verify
792 compliance with the provisions of subsection (7) aimed at
793 protecting the health, safety, and welfare of students and to
794 verify the information reported by the schools concerning the



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795 enrollment and attendance of students, the credentials of
796 teachers, background screening of teachers, and teachers'
797 fingerprinting results, which information is required by rules
798 of the State Board of Education, subsection (8), and s.
799 1002.421. The Department of Education may ~~not~~ make followup more
800 than three random site visits at any time to any school that has
801 received a notice of noncompliance or a notice of proposed
802 action within the previous 2 years pursuant to subsection (7)
803 each year and may not make more than one random site visit each
804 year to the same private school.

805 2. Annually, by December 15, report to the Governor, the
806 President of the Senate, and the Speaker of the House of
807 Representatives the Department of Education's actions with
808 respect to implementing accountability in the scholarship
809 program under this section and s. 1002.421, any substantiated
810 allegations or violations of law or rule by an eligible private
811 school under this program concerning the enrollment and
812 attendance of students, the credentials of teachers, background
813 screening of teachers, and teachers' fingerprinting results and
814 the corrective action taken by the Department of Education.

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

819 (a) Comply with all requirements for private schools
820 participating in state school choice scholarship programs
821 pursuant to s. 1002.421.

822 (b) Provide to the department all documentation required
823 for a student's participation, including the private school's



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824 and student's fee schedules, at least 30 days before any
825 quarterly scholarship payment is made for the student pursuant
826 to paragraph (11)(e). A student is not eligible to receive a
827 quarterly scholarship payment if the private school fails to
828 meet this deadline.

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

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

833 2. Cooperating with the scholarship student whose parent
834 chooses to participate in the statewide assessments pursuant to
835 s. 1008.22.

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

838 (e) If the private school that participates in a state
839 scholarship program under this chapter receives more than
840 \$250,000 in funds from scholarships awarded under chapter 1002
841 in a state fiscal year, provide an annual report from an
842 independent certified public accountant who performs the agreed-
843 upon procedures developed under s. 1002.395(6)(o). Such a
844 private school must annually submit the required report by
845 September 15 to the organization that awarded the majority of
846 the school's scholarship funds. The agreed-upon procedures must
847 be conducted in accordance with attestation standards
848 established by the American Institute of Certified Public
849 Accountants.

850
851 The failure or refusal ~~inability~~ of a private school to meet the
852 requirements of this subsection shall constitute a basis for the



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853 ineligibility of the private school to participate in the
854 scholarship program as determined by the department.

855 Section 14. Subsection (4), paragraph (o) of subsection
856 (6), subsection (8), and paragraph (n) of subsection (9) of
857 section 1002.395, Florida Statutes, are amended to read:

858 1002.395 Florida Tax Credit Scholarship Program.—

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

861 (a) Enrolled in a school operating for the purpose of
862 providing educational services to youth in Department of
863 Juvenile Justice commitment programs;

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

866 (c) Receiving an educational scholarship pursuant to
867 chapter 1002;

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

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

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

876 (f) ~~(g)~~ Enrolled in the Florida School for the Deaf and the
877 Blind.

878 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
879 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
880 organization:

881 (o)1.a. Must participate in the joint development of



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882 agreed-upon procedures to be performed by an independent
883 certified public accountant as required under paragraph (8)(e)
884 if the scholarship-funding organization provided more than
885 \$250,000 in scholarship funds to an eligible private school
886 under this chapter section during the ~~2009-2010~~ state fiscal
887 year. The agreed-upon procedures must uniformly apply to all
888 private schools and must determine, at a minimum, whether the
889 private school has been verified as eligible by the Department
890 of Education under paragraph (9)(c); has an adequate accounting
891 system, system of financial controls, and process for deposit
892 and classification of scholarship funds; and has properly
893 expended scholarship funds for education-related expenses.
894 During the development of the procedures, the participating
895 scholarship-funding organizations shall specify guidelines
896 governing the materiality of exceptions that may be found during
897 the accountant's performance of the procedures. The procedures
898 and guidelines shall be provided to private schools and the
899 Commissioner of Education by March 15, 2011.

900 b. Must participate in a joint review of the agreed-upon
901 procedures and guidelines developed under sub-subparagraph a.,
902 by February 2013 and biennially thereafter, if the scholarship-
903 funding organization provided more than \$250,000 in scholarship
904 funds to an eligible private school under this chapter section
905 during the state fiscal year preceding the biennial review. If
906 the procedures and guidelines are revised, the revisions must be
907 provided to private schools and the Commissioner of Education by
908 March 15, 2013, and biennially thereafter.

909 c. Must monitor the compliance of a private school with
910 paragraph (8)(e) if the scholarship-funding organization



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911 provided the majority of the scholarship funding to the school.
912 For each private school subject to paragraph (8)(e), the
913 appropriate scholarship-funding organization shall notify the
914 Commissioner of Education by October 30, 2011, and annually
915 thereafter of:

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

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

920 2. Must seek input from the accrediting associations that
921 are members of the Florida Association of Academic Nonpublic
922 Schools when jointly developing the agreed-upon procedures and
923 guidelines under sub-subparagraph 1.a. and conducting a review
924 of those procedures and guidelines under sub-subparagraph 1.b.

925
926 Information and documentation provided to the Department of
927 Education and the Auditor General relating to the identity of a
928 taxpayer that provides an eligible contribution under this
929 section shall remain confidential at all times in accordance
930 with s. 213.053.

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

933 (a) Comply with all requirements for private schools
934 participating in state school choice scholarship programs
935 pursuant to s. 1002.421.

936 (b) Provide to the eligible nonprofit scholarship-funding
937 organization, upon request, all documentation required for the
938 student's participation, including the private school's and
939 student's fee schedules.



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

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

944 2. Annually administering or making provision for students
945 participating in the scholarship program in grades 3 through 10
946 to take one of the nationally norm-referenced tests identified
947 by the Department of Education or the statewide assessments
948 pursuant to s. 1008.22. Students with disabilities for whom
949 standardized testing is not appropriate are exempt from this
950 requirement. A participating private school must report a
951 student's scores to the parent. A participating private school
952 must annually report by August 15 the scores of all
953 participating students to the Learning System Institute
954 described in paragraph (9)(j).

955 3. Cooperating with the scholarship student whose parent
956 chooses to have the student participate in the statewide
957 assessments pursuant to s. 1008.22 or, if a private school
958 chooses to offer the statewide assessments, administering the
959 assessments at the school.

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

963 b. A participating private school must submit a request in
964 writing to the Department of Education by March 1 of each year
965 in order to administer the statewide assessments in the
966 subsequent school year.

967 (d) Employ or contract with teachers who have regular and
968 direct contact with each student receiving a scholarship under



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969 this section at the school's physical location.

970 (e) Provide a report from an independent certified public
971 accountant who performs the agreed-upon procedures developed
972 under paragraph (6) (o) if the private school receives more than
973 \$250,000 in funds from scholarships awarded under this chapter
974 ~~section~~ in a state fiscal year. A private school subject to this
975 paragraph must annually submit the report by September 15 to the
976 scholarship-funding organization that awarded the majority of
977 the school's scholarship funds. The agreed-upon procedures must
978 be conducted in accordance with attestation standards
979 established by the American Institute of Certified Public
980 Accountants.

981
982 If a private school fails or refuses ~~is unable~~ to meet the
983 requirements of this subsection or has consecutive years of
984 material exceptions listed in the report required under
985 paragraph (e), the commissioner may determine that the private
986 school is ineligible to participate in the scholarship program
987 as determined by the Department of Education.

988 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of
989 Education shall:

990 (n)1. Conduct site visits to private schools participating
991 in the Florida Tax Credit Scholarship Program as authorized
992 under s. 1002.421(7). The purposes ~~purpose~~ of the site visits
993 are is solely to verify compliance with the provisions of
994 subsection (11) aimed at protecting the health, safety, and
995 welfare of students and to verify the information reported by
996 the schools concerning the enrollment and attendance of
997 students, the credentials of teachers, background screening of



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998 teachers, and teachers' fingerprinting results. ~~The Department~~
999 ~~of Education may not make more than seven site visits each year;~~
1000 ~~however,~~ The department may make followup ~~additional~~ site visits
1001 at any time to any school that, pursuant to subsection (11), has
1002 received a notice of noncompliance or a notice of proposed
1003 action within the previous 2 years.

1004 2. Annually, by December 15, report to the Governor, the
1005 President of the Senate, and the Speaker of the House of
1006 Representatives the Department of Education's actions with
1007 respect to implementing accountability in the scholarship
1008 program under this section and s. 1002.421, any substantiated
1009 allegations or violations of law or rule by an eligible private
1010 school under this program concerning the enrollment and
1011 attendance of students, the credentials of teachers, background
1012 screening of teachers, and teachers' fingerprinting results and
1013 the corrective action taken by the Department of Education.

1014 Section 15. Section 1002.40, Florida Statutes, is created
1015 to read:

1016 1002.40 The Hope Scholarship Program.-

1017 (1) PURPOSE.-The Hope Scholarship Program is established to
1018 provide the parent of a public school student who was the victim
1019 of a substantiated incident of violence or abuse, as listed in
1020 subsection (3), an opportunity to transfer the student to
1021 another public school that has capacity or to request and
1022 receive a scholarship for the student to enroll in and attend an
1023 eligible private school.

1024 (2) DEFINITIONS.-As used in this section, the term:

1025 (a) "Department" means the Department of Education.

1026 (b) "Eligible contribution" or "contribution" means a



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1027 monetary contribution from a person required to pay sales and
1028 use tax on the purchase or acquisition of a motor vehicle,
1029 subject to the restrictions provided in this section, to an
1030 eligible nonprofit scholarship-funding organization. The
1031 taxpayer making the contribution may not designate a specific
1032 student as the beneficiary of the contribution.

1033 (c) "Eligible nonprofit scholarship-funding organization"
1034 or "organization" has the same meaning as provided in s.
1035 1002.395(2) (f), as determined by the department.

1036 (d) "Eligible private school" has the same meaning as
1037 provided in s. 1002.395(2) (g), as determined by the department.

1038 (e) "Motor vehicle" has the same meaning as provided in s.
1039 320.01(1) (a), but does not include heavy trucks, truck tractors,
1040 trailers, and motorcycles.

1041 (f) "Parent" means a resident of this state who is a
1042 parent, as defined in s. 1000.21, and whose public school
1043 student was the victim of a reported incident, as listed in
1044 subsection (3).

1045 (g) "Principal" means the principal or his or her designee.

1046 (h) "Program" means the Hope Scholarship Program.

1047 (i) "School" includes any educational program or activity
1048 conducted by a public K-12 educational institution, any school-
1049 related or school-sponsored program or activity, and riding on a
1050 school bus, as defined in s. 1006.25(1), including waiting at a
1051 school bus stop.

1052 (j) "Unweighted FTE funding amount" means the statewide
1053 average total funds per unweighted full-time equivalent funding
1054 amount that is incorporated by reference in the General
1055 Appropriations Act for the applicable state fiscal year.



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1056 (3) PROGRAM ELIGIBILITY.—Beginning with the 2018-2019
1057 school year, contingent upon available funds, and on a first-
1058 come, first-served basis, a student enrolled full time in a
1059 Florida public school in kindergarten through grade 12 is
1060 eligible for a scholarship under this program if all of the
1061 following conditions are met:

1062 (a) The student is the victim of a substantiated incident
1063 of battery; harassment; hazing; bullying; kidnapping; physical
1064 attack; robbery; sexual offenses, harassment, assault, or
1065 battery; threat or intimidation; or fighting at school.

1066 (b) The incident is formally reported by the victim or the
1067 victim's parent to the principal.

1068 (c) Through an investigation, the principal finds that the
1069 incident is substantiated.

1070 (d) The principal's investigation remains open or the
1071 district's resolution of issues related to the incident remain
1072 unresolved after timely notification, deliberative evaluation,
1073 and 30 days of responsible and appropriate action taken in
1074 accordance with paragraph (5) (a).

1075 (4) PROGRAM PROHIBITIONS.—Payment of a scholarship may not
1076 be made if a student is:

1077 (a) Enrolled in a public school, including, but not limited
1078 to, the Florida School for the Deaf and the Blind; the College-
1079 Preparatory Boarding Academy; the Florida Virtual School; a
1080 developmental research school authorized under s. 1002.32; or a
1081 charter school authorized under s. 1002.33, s. 1002.331, s.
1082 1002.332, or s. 1002.333;

1083 (b) Enrolled in a school operating for the purpose of
1084 providing educational services to youth in the Department of



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1085 Juvenile Justice commitment programs;

1086 (c) Participating in a virtual school, correspondence
1087 school, or distance learning program that receives state funding
1088 pursuant to the student's participation unless the participation
1089 is limited to no more than two courses per school year;

1090 (d) Receiving any other educational scholarship pursuant to
1091 this chapter; or

1092 (e) Participating in a home education program, as defined
1093 in s. 1002.01.

1094 (5) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.—

1095 (a)1. Within 24 hours after receipt of a formal report of
1096 an incident listed in subsection (3)(a), the principal shall
1097 provide a copy of the report to the victim's parent and the
1098 alleged offender's parent. The report must include a statement
1099 of the expected investigative actions and the timeline for
1100 reporting the outcome of the investigation. Within 24 hours
1101 after receipt of the formal report, the principal must also
1102 provide the superintendent with a copy of the report and
1103 verification that the parents of the victim and the alleged
1104 offender have been provided a copy of the incident report and
1105 other required information.

1106 2. In accordance with s. 1006.09, the principal must
1107 investigate the incident to determine if the incident is
1108 substantiated or unsubstantiated, and if the incident must be
1109 reported. The principal may, at his or her discretion, determine
1110 the extent to which each student was engaged in instigating,
1111 initiating, or reacting to a physical altercation, and may
1112 consider such information when evaluating and determining
1113 appropriate disciplinary actions and investigation outcomes.



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1114 3. During the investigation period, the principal and the
1115 superintendent shall take all necessary actions to continue the
1116 educational services of students involved in the reported
1117 incident while taking every reasonable precaution to keep the
1118 alleged offender separated from the victim or any sibling of the
1119 victim while on school grounds or on school transportation,
1120 pursuant to ss. 1006.09, 1006.13, and 1006.147, as appropriate.

1121 4. Upon the principal's determination that an alleged
1122 incident is unsubstantiated or the resolution of issues related
1123 to a substantiated incident or within 15 days after the incident
1124 was reported, whichever occurs first, the principal must report
1125 to the victim's parent and the alleged offender's parent the
1126 findings, outcome, or status of the investigation. The principal
1127 shall continue to provide such reports to the parents at least
1128 every 15 days until the investigation concludes and issues
1129 associated with the incident are resolved.

1130 5. If the principal's investigation into the incident
1131 remains open more than 30 days after the date a substantiated
1132 incident was reported or issues associated with the incident
1133 remain unresolved, the school district, in accordance with the
1134 school district's code of student conduct, shall:

1135 a. Notify the victim's parent of the availability of the
1136 program and offer that parent an opportunity to enroll his or
1137 her student in another public school or to request and receive a
1138 scholarship to attend an eligible private school, subject to
1139 available funding; and

1140 b. Provide the victim's parent with a written notification
1141 of the result of the principal's investigation of the alleged
1142 incident. The parent must provide such notification to the



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1143 scholarship-funding organization that verifies the student's
1144 eligibility.

1145 6. To facilitate timely, appropriate, and fiscally
1146 accountable scholarship payments, school districts must report
1147 and verify student enrollment information during and outside of
1148 regular FTE student enrollment survey periods, as requested by
1149 the department pursuant to paragraph (7) (d).

1150 (b)1. A parent who, pursuant to s. 1002.31, chooses to
1151 enroll his or her student in a Florida public school located
1152 outside the district in which the student resides shall be
1153 eligible for a scholarship under paragraph (11) (b) to transport
1154 the student.

1155 2. For each student participating in the program in a
1156 private school who chooses to participate in the statewide
1157 assessments under s. 1008.22 or the Florida Alternate
1158 Assessment, the school district in which the student resides
1159 must notify the student and his or her parent about the
1160 locations and times to take all statewide assessments.

1161 (6) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible
1162 private school may be sectarian or nonsectarian and shall:

1163 (a) Meet the definition of a private school in s. 1002.01
1164 and comply with all requirements for private schools
1165 participating in state school choice scholarship programs
1166 pursuant to this section and s. 1002.421.

1167 (b) Provide to the organization and the department, upon
1168 request, all documentation required for the student's
1169 participation, including, but not limited to, the private
1170 school's and the student's fee schedules.

1171 (c) Be academically accountable to the parent for meeting



1172 the educational needs of the student by:
1173 1. At a minimum, annually providing to the parent a written
1174 explanation of the student's progress.
1175 2. Annually administering or making provision for students
1176 participating in the program in grades 3 through 10 to take one
1177 of the nationally norm-referenced tests identified by the
1178 department or the statewide assessments pursuant to s. 1008.22.
1179 Students with disabilities for whom standardized testing is not
1180 appropriate are exempt from this requirement. A participating
1181 private school shall report a student's scores to his or her
1182 parent.
1183 3. Cooperating with the student whose parent chooses to
1184 have the student participate in the statewide assessments
1185 pursuant to s. 1008.22 or, if a private school chooses to offer
1186 the statewide assessments, administering the assessments at the
1187 school.
1188 a. A participating private school may choose to offer and
1189 administer the statewide assessments to all students who attend
1190 the private school in grades 3 through 10.
1191 b. A participating private school shall submit a request in
1192 writing to the department by March 1 of each year in order to
1193 administer the statewide assessments in the subsequent school
1194 year.
1195 (d) Employ or contract with teachers who have regular and
1196 direct contact with each student receiving a scholarship under
1197 this section at the school's physical location.
1198 (e) Maintain in this state a physical location where a
1199 scholarship student regularly attends classes.
1200 (f) Provide a report from an independent certified public



1201 accountant who performs the agreed-upon procedures developed
1202 under s. 1002.395(6) (o) if the private school receives more than
1203 \$250,000 in funds from scholarships awarded under this section
1204 in a state fiscal year. A private school subject to this
1205 paragraph must annually submit the report by September 15 to the
1206 organization that awarded the majority of the school's
1207 scholarship funds. The agreed-upon procedures must be conducted
1208 in accordance with attestation standards established by the
1209 American Institute of Certified Public Accountants.

1210
1211 The failure of a private school to meet the requirements of this
1212 subsection constitutes a basis for the ineligibility of the
1213 private school to participate in the program, as determined by
1214 the department.

1215 (7) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department
1216 shall:

1217 (a) Establish a toll-free hotline that provides parents and
1218 private schools with information on participation in the
1219 program.

1220 (b) Annually verify the eligibility of private schools that
1221 meet the requirements of subsection (6).

1222 (c) Require an annual notarized and sworn compliance
1223 statement by participating private schools certifying compliance
1224 with state laws and retain such records.

1225 (d) Cross-check the list of participating students with the
1226 public school enrollment lists and participation lists in other
1227 scholarship programs established under this chapter before each
1228 scholarship payment to avoid duplication.

1229 (e) Maintain a list of nationally norm-referenced tests



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1230 identified for purposes of satisfying the testing requirement in
1231 paragraph (9) (f). The tests must meet industry standards of
1232 quality in accordance with State Board of Education rule.

1233 (f) Require quarterly reports by an eligible nonprofit
1234 scholarship-funding organization regarding the number of
1235 students participating in the scholarship program, the private
1236 schools in which the students are enrolled, and other
1237 information deemed necessary by the department.

1238 (g) Contract with an independent entity to provide an
1239 annual evaluation of the program by:

1240 1. Reviewing the school climate and code of student conduct
1241 of each public school that reported the occurrence of a monthly
1242 average of 10 or more substantiated incidents to determine areas
1243 in the school or school district procedures involving reporting,
1244 investigating, and communicating a parent's and student's rights
1245 which are in need of improvement. At a minimum, the review must
1246 include:

1247 a. An assessment of the investigation time and quality of
1248 the response of the school and the school district;

1249 b. An assessment of the effectiveness of communication
1250 procedures with the students involved in an incident, the
1251 students' parents, and the school and school district personnel;

1252 c. An analysis of school incident and discipline data; and

1253 d. The challenges and obstacles relating to implementing
1254 recommendations from this review.

1255 2. Reviewing the school climate and code of student conduct
1256 of each public school a student transferred to if the student
1257 was from a school identified in subparagraph 1. in order to
1258 identify best practices and make recommendations to a public



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1259 school at which the incidents occurred.

1260 3. Reviewing the performance of participating students
1261 enrolled in a private school in which the majority of the
1262 school's total enrolled students in the prior school year
1263 participated in one or more scholarship programs, as defined in
1264 s. 1002.01, in which there are at least 10 participating
1265 students who have scores for tests administered; and reviewing
1266 the school climate and code of student conduct of the private
1267 school if one or more scholarship participants were involved in
1268 a reported incident at the school during the prior school year.

1269 4. Surveying the parents of participating students to
1270 determine academic, safety, and school climate satisfaction and
1271 to identify any challenges or obstacles in addressing the
1272 incident or relating to the use of the scholarship.

1273 (h) Upon the request of a participating private school,
1274 provide at no cost to the school the statewide assessments
1275 administered under s. 1008.22 and any related materials for
1276 administering the assessments. Students at a private school may
1277 be assessed using the statewide assessments if the addition of
1278 those students and the school does not cause the state to exceed
1279 its contractual caps for the number of students tested and the
1280 number of testing sites. The state shall provide the same
1281 materials and support to a private school that it provides to a
1282 public school. A private school that chooses to administer
1283 statewide assessments under s. 1008.22 shall follow the
1284 requirements set forth in ss. 1008.22 and 1008.24, rules adopted
1285 by the State Board of Education to implement those sections, and
1286 district-level testing policies established by the district
1287 school board.



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1288 (i) Establish a process by which individuals may notify the
1289 department of any violation by a parent, private school, or
1290 school district of state laws relating to program participation.
1291 The department shall conduct an inquiry or make a referral to
1292 the appropriate agency for an investigation of any written
1293 complaint of a violation of this section if the complaint is
1294 signed by the complainant and is legally sufficient. A complaint
1295 is legally sufficient if such complaint contains ultimate facts
1296 that show that a violation of this section or any rule adopted
1297 by the State Board of Education pursuant to this section has
1298 occurred. In order to determine legal sufficiency, the
1299 department may require supporting information or documentation
1300 from the complainant. A department inquiry is not subject to the
1301 requirements of chapter 120.

1302 (j)1. Conduct site visits to participating private schools.
1303 The purpose of the site visits is solely to verify the
1304 information reported by the schools concerning the enrollment
1305 and attendance of students, the credentials of teachers,
1306 background screening of teachers, teachers' fingerprinting
1307 results, and other conditions required pursuant to s. 1002.421
1308 and this section. The department may not make more than seven
1309 site visits each year; however, the department may make
1310 additional site visits at any time to a school that is the
1311 subject of a violation complaint submitted pursuant to paragraph
1312 (i), is identified by an organization for a known or suspected
1313 violation, or has received a notice of noncompliance or a notice
1314 of proposed action within the current year or the previous 2
1315 years.

1316 2. Annually, by December 15, report to the Governor, the



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1317 President of the Senate, and the Speaker of the House of
1318 Representatives the department's actions with respect to
1319 implementing accountability in the program under this section
1320 and s. 1002.421, any substantiated allegations or violations of
1321 law or rule by an eligible private school under this program,
1322 and the corrective action taken by the department.

1323 (8) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.-

1324 (a) The Commissioner of Education:

1325 1. Shall deny, suspend, or revoke a private school's
1326 participation in the program if it is determined that the
1327 private school has failed to comply with the provisions of this
1328 section. However, if the noncompliance is correctable within a
1329 reasonable amount of time and if the health, safety, or welfare
1330 of the students is not threatened, the commissioner may issue a
1331 notice of noncompliance which provides the private school with a
1332 timeframe within which to provide evidence of compliance before
1333 taking action to suspend or revoke the private school's
1334 participation in the program.

1335 2. May deny, suspend, or revoke a private school's
1336 participation in the program if the commissioner determines that
1337 an owner or operator of the private school is operating or has
1338 operated an educational institution in this state or in another
1339 state or jurisdiction in a manner contrary to the health,
1340 safety, or welfare of the public.

1341 a. In making such a determination, the commissioner may
1342 consider factors that include, but are not limited to, acts or
1343 omissions by an owner or operator which led to a previous denial
1344 or revocation of participation in an education scholarship
1345 program; an owner's or operator's failure to reimburse the



1346 department for scholarship funds improperly received or retained
1347 by a school; imposition of a prior criminal sanction related to
1348 an owner's or operator's management or operation of an
1349 educational institution; imposition of a civil fine or
1350 administrative fine, license revocation or suspension, or
1351 program eligibility suspension, termination, or revocation
1352 related to an owner's or operator's management or operation of
1353 an educational institution; or other types of criminal
1354 proceedings in which an owner or operator was found guilty of,
1355 regardless of adjudication, or entered a plea of nolo contendere
1356 or guilty to, any offense involving fraud, deceit, dishonesty,
1357 or moral turpitude.

1358 b. For purposes of this subparagraph, the term "owner or
1359 operator" includes an owner, operator, superintendent, or
1360 principal of, or a person who has equivalent decisionmaking
1361 authority over, a private school participating in the
1362 scholarship program.

1363 (b) The commissioner's determination is subject to the
1364 following:

1365 1. If the commissioner intends to deny, suspend, or revoke
1366 a private school's participation in the program, the department
1367 shall notify the private school of such proposed action in
1368 writing by certified mail and regular mail to the private
1369 school's address of record with the department. The notification
1370 shall include the reasons for the proposed action and notice of
1371 the timelines and procedures set forth in this paragraph.

1372 2. The private school that is adversely affected by the
1373 proposed action shall have 15 days after receipt of the notice
1374 of proposed action to file with the department's agency clerk a



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1375 request for a proceeding pursuant to ss. 120.569 and 120.57. If
1376 the private school is entitled to a hearing under s. 120.57(1),
1377 the department shall refer the request to the Division of
1378 Administrative Hearings.

1379 3. Upon receipt of a request referred pursuant to this
1380 paragraph, the director of the Division of Administrative
1381 Hearings shall expedite the hearing and assign an administrative
1382 law judge who shall commence a hearing within 30 days after the
1383 receipt of the formal written request by the division and enter
1384 a recommended order within 30 days after the hearing or within
1385 30 days after receipt of the hearing transcript, whichever is
1386 later. Each party shall be allowed 10 days in which to submit
1387 written exceptions to the recommended order. A final order shall
1388 be entered by the agency within 30 days after the entry of a
1389 recommended order. The provisions of this subparagraph may be
1390 waived upon stipulation by all parties.

1391 (c) The commissioner may immediately suspend payment of
1392 scholarship funds if it is determined that there is probable
1393 cause to believe that there is:

1394 1. An imminent threat to the health, safety, or welfare of
1395 the students; or

1396 2. Fraudulent activity on the part of the private school.
1397 Notwithstanding s. 1002.22, in incidents of alleged fraudulent
1398 activity pursuant to this section, the department's Office of
1399 Inspector General is authorized to release personally
1400 identifiable records or reports of students to the following
1401 persons or organizations:

1402 a. A court of competent jurisdiction in compliance with an
1403 order of that court or the attorney of record in accordance with



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1404 a lawfully issued subpoena, consistent with the Family
1405 Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

1406 b. A person or entity authorized by a court of competent
1407 jurisdiction in compliance with an order of that court or the
1408 attorney of record pursuant to a lawfully issued subpoena,
1409 consistent with the Family Educational Rights and Privacy Act,
1410 20 U.S.C. s. 1232g.

1411 c. Any person, entity, or authority issuing a subpoena for
1412 law enforcement purposes when the court or other issuing agency
1413 has ordered that the existence or the contents of the subpoena
1414 or the information furnished in response to the subpoena not be
1415 disclosed, consistent with the Family Educational Rights and
1416 Privacy Act, 20 U.S.C. s. 1232g, and 34 C.F.R. s. 99.31.

1417
1418 The commissioner's suspension of payment pursuant to this
1419 paragraph may be appealed pursuant to the same procedures and
1420 timelines as the notice of proposed action set forth in
1421 paragraph (b).

1422 (9) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
1423 PARTICIPATION.—A parent who applies for a Hope Scholarship is
1424 exercising his or her parental option to place his or her
1425 student in an eligible private school.

1426 (a) The parent must select an eligible private school and
1427 apply for the admission of his or her student.

1428 (b) The parent must inform the student's school district
1429 when the parent withdraws his or her student to attend an
1430 eligible private school.

1431 (c) Any student participating in the program must comply
1432 with the regular attendance requirements of s. 1003.01(13) and



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1433 remain in attendance throughout the school year unless excused
1434 by the school for illness or other good cause.

1435 (d) Each parent and each student has an obligation to the
1436 private school to comply with the private school's published
1437 policies.

1438 (e) Upon reasonable notice to the department and the school
1439 district, the parent may remove the student from the private
1440 school and place the student in a public school in accordance
1441 with this section.

1442 (f) The parent must ensure that the student participating
1443 in the program takes the norm-referenced assessment offered by
1444 the private school. The parent may also choose to have the
1445 student participate in the statewide assessments pursuant to s.
1446 1008.22. If the parent requests that the student participating
1447 in the program take the statewide assessments pursuant to s.
1448 1008.22 and the private school has not chosen to offer and
1449 administer the statewide assessments, the parent is responsible
1450 for transporting the student to the assessment site designated
1451 by the school district.

1452 (g) Upon receipt of a scholarship warrant, the parent to
1453 whom the warrant is made must restrictively endorse the warrant
1454 to the private school for deposit into the account of the
1455 private school. The parent may not designate any entity or
1456 individual associated with the participating private school as
1457 the parent's attorney in fact to endorse a scholarship warrant.
1458 A parent who fails to comply with this paragraph forfeits the
1459 scholarship.

1460 (10) OBLIGATIONS OF NONPROFIT SCHOLARSHIP-FUNDING
1461 ORGANIZATIONS.—An organization may establish scholarships for



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1462 eligible students by:

1463 (a) Receiving applications and determining student
1464 eligibility in accordance with the requirements of this section.

1465 (b) Notifying parents of their receipt of a scholarship on
1466 a first-come, first-served basis, based upon available funds.

1467 (c) Preparing and submitting quarterly and annual reports
1468 to the department pursuant to paragraphs (7)(f) and (g). In
1469 addition, an eligible nonprofit scholarship-funding organization
1470 must submit in a timely manner any information requested by the
1471 department relating to the scholarship program.

1472 (d) Notifying the department of any known or suspected
1473 violation of this section by a private school, parent, or
1474 student.

1475 (11) FUNDING AND PAYMENT.—

1476 (a) The maximum amount awarded to a student enrolled in an
1477 eligible private school shall be determined as a percentage of
1478 the unweighted FTE funding amount for that state fiscal year and
1479 thereafter as follows:

1480 1. Eighty-eight percent for a student enrolled in
1481 kindergarten through grade 5.

1482 2. Ninety-two percent for a student enrolled in grade 6
1483 through grade 8.

1484 3. Ninety-six percent for a student enrolled in grade 9
1485 through grade 12.

1486 (b) The maximum amount awarded to a student enrolled in a
1487 Florida public school located outside of the district in which
1488 the student resides shall be \$750.

1489 (c) When a student enters the program, the organization
1490 must receive all documentation required for the student's



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1491 participation, including a copy of the report of the
1492 substantiated incident received pursuant to subsection (5) and
1493 the private school's and the student's fee schedules. The
1494 initial payment shall be made after verification of admission
1495 acceptance, and subsequent payments shall be made upon
1496 verification of continued enrollment and attendance at the
1497 private school.

1498 (d) Payment of the scholarship by the eligible nonprofit
1499 scholarship-funding organization may be by individual warrant
1500 made payable to the student's parent or by funds transfer made
1501 by debit cards, electronic payment cards, or other means of
1502 payment which the department deems to be commercially viable or
1503 cost-effective. If payment is made by warrant, the warrant must
1504 be delivered by the eligible nonprofit scholarship-funding
1505 organization to the private school of the parent's choice, and
1506 the parent shall restrictively endorse the warrant to the
1507 private school. If payment is made by funds transfer, the parent
1508 must approve each payment before the scholarship funds may be
1509 deposited. The parent may not designate any entity or individual
1510 associated with the participating private school as the parent's
1511 attorney in fact to endorse a scholarship warrant or approve a
1512 funds transfer.

1513 (e) An eligible nonprofit scholarship-funding organization
1514 shall obtain verification from the private school of a student's
1515 continued attendance at the school for each period covered by a
1516 scholarship payment.

1517 (f) Payment of the scholarship shall be made by the
1518 eligible nonprofit scholarship-funding organization no less
1519 frequently than on a quarterly basis.



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1520 (g) An organization may use up to 3 percent of eligible
1521 contributions received during the state fiscal year in which
1522 such contributions are collected for administrative expenses if
1523 the organization has operated as an eligible nonprofit
1524 scholarship-funding organization for at least the preceding 3
1525 fiscal years and did not have any findings of material weakness
1526 or material noncompliance in its most recent audit under s.
1527 1002.395(6)(m). Such administrative expenses must be reasonable
1528 and necessary for the organization's management and distribution
1529 of eligible contributions under this section. Funds authorized
1530 under this paragraph may not be used for lobbying or political
1531 activity or expenses related to lobbying or political activity.
1532 Up to one-third of the funds authorized for administrative
1533 expenses under this paragraph may be used for expenses related
1534 to the recruitment of contributions from taxpayers. An eligible
1535 nonprofit scholarship-funding organization may not charge an
1536 application fee.

1537 (h) Moneys received pursuant to this section do not
1538 constitute taxable income to the qualified student or his or her
1539 parent.

1540 (12) OBLIGATIONS OF THE AUDITOR GENERAL.—

1541 (a) The Auditor General shall conduct an annual operational
1542 audit of accounts and records of each organization that
1543 participates in the program. As part of this audit, the Auditor
1544 General shall verify, at a minimum, the total number of students
1545 served and transmit that information to the department. The
1546 Auditor General shall provide the commissioner with a copy of
1547 each annual operational audit performed pursuant to this
1548 subsection within 10 days after the audit is finalized.



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1549 (b) The Auditor General shall notify the department of any
1550 organization that fails to comply with a request for
1551 information.

1552 (13) SCHOLARSHIP FUNDING TAX CREDITS.-

1553 (a) A tax credit is available under s. 212.1832 for use by
1554 a taxpayer that makes an eligible contribution to the program.
1555 Each eligible contribution is limited to a single payment of \$20
1556 at the time of purchase of a motor vehicle or a single payment
1557 of \$20 at the time of registration of a motor vehicle that was
1558 not purchased from a dealer. An eligible contribution shall be
1559 accompanied by an election to contribute to the program and
1560 shall be made by the purchaser at the time of purchase or at the
1561 time of registration on a form provided by the Department of
1562 Revenue. Payments of contributions shall be made to a dealer, as
1563 defined in chapter 212, at the time of purchase of a motor
1564 vehicle or to an agent of the Department of Revenue, as
1565 designated by s. 212.06(10), at the time of registration of a
1566 motor vehicle that was not purchased from a dealer.

1567 (b) A tax collector or any person or firm authorized to
1568 sell or issue a motor vehicle license who is designated as an
1569 agent of the Department of Revenue pursuant to s. 212.06(10) or
1570 who is a dealer shall:

1571 1. Provide the purchaser the contribution election form, as
1572 prescribed by the Department of Revenue, at the time of purchase
1573 of a motor vehicle or at the time of registration of a motor
1574 vehicle that was not purchased from a dealer.

1575 2. Collect eligible contributions.

1576 3. Using a form provided by the Department of Revenue,
1577 which shall include the dealer's or agent's federal employer



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1578 identification number, remit to an organization on or before the
1579 20th day of each month the total amount of contributions made to
1580 that organization and collected during the preceding calendar
1581 month.

1582 4. Report on each return filed with the Department of
1583 Revenue the total amount of credits allowed under s. 212.1832
1584 during the preceding calendar month.

1585 (c) An organization shall report to the Department of
1586 Revenue, on or before the 20th day of each month, the total
1587 amount of contributions received pursuant to paragraph (b) in
1588 the preceding calendar month on a form provided by the
1589 Department of Revenue. Such report shall include the federal
1590 employer identification number of each tax collector, authorized
1591 agent of the Department of Revenue, or dealer who remitted
1592 contributions to the organization during that reporting period.

1593 (d) A person who, with intent to unlawfully deprive or
1594 defraud the program of its moneys or the use or benefit thereof,
1595 fails to remit a contribution collected under this section is
1596 guilty of theft of charitable funds, punishable as follows:

1597 1. If the total amount stolen is less than \$300, the
1598 offense is a misdemeanor of the second degree, punishable as
1599 provided in s. 775.082 or s. 775.083. Upon a second conviction,
1600 the offender is guilty of a misdemeanor of the first degree,
1601 punishable as provided in s. 775.082 or s. 775.083. Upon a third
1602 or subsequent conviction, the offender is guilty of a felony of
1603 the third degree, punishable as provided in s. 775.082, s.
1604 775.083, or s. 775.084.

1605 2. If the total amount stolen is \$300 or more, but less
1606 than \$20,000, the offense is a felony of the third degree,



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1607 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1608 3. If the total amount stolen is \$20,000 or more, but less
1609 than \$100,000, the offense is a felony of the second degree,
1610 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1611 4. If the total amount stolen is \$100,000 or more, the
1612 offense is a felony of the first degree, punishable as provided
1613 in s. 775.082, s. 775.083, or s. 775.084.

1614 (e) A person convicted of an offense under paragraph (d)
1615 shall be ordered by the sentencing judge to make restitution to
1616 the organization in the amount that was stolen from the program.

1617 (14) LIABILITY.—The state is not liable for the award or
1618 any use of awarded funds under this section.

1619 (15) SCOPE OF AUTHORITY.—This section does not expand the
1620 regulatory authority of this state, its officers, or any school
1621 district to impose additional regulation on participating
1622 private schools beyond those reasonably necessary to enforce
1623 requirements expressly set forth in this section.

1624 (16) RULES.—The State Board of Education shall adopt rules
1625 to administer this section.

1626 Section 16. Present subsection (7) of section 1002.421,
1627 Florida Statutes, is amended and redesignated as subsection
1628 (11), a new subsection (7) and subsections (8), (9), and (10)
1629 are added to that section, and subsection (1), paragraphs (h)
1630 and (i) of subsection (2), and subsections (4) and (5) of that
1631 section are amended, to read:

1632 1002.421 Accountability of private schools participating in
1633 state school choice scholarship programs.—

1634 (1) (a) A Florida private school participating in the
1635 Florida Tax Credit Scholarship Program established pursuant to



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1636 s. 1002.395 or an educational scholarship program established
1637 pursuant to this chapter must comply with all requirements of
1638 this section in addition to private school requirements outlined
1639 in s. 1002.42, specific requirements identified within
1640 respective scholarship program laws, and other provisions of
1641 Florida law that apply to private schools.

1642 (b) For purposes of this section, the term "owner or
1643 operator" includes an owner, operator, superintendent, or
1644 principal of an eligible private school or a person with
1645 equivalent decisionmaking authority over an eligible private
1646 school.

1647 (2) A private school participating in a scholarship program
1648 must be a Florida private school as defined in s. 1002.01(2),
1649 must be registered in accordance with s. 1002.42, and must:

1650 (h) Employ or contract with teachers who:

1651 1. Unless otherwise specified under this paragraph, hold
1652 baccalaureate or higher degrees, have at least 3 years of
1653 teaching experience in public or private schools, or have
1654 objectively identified special skills, knowledge, or expertise
1655 that qualifies them to provide instruction in subjects taught.

1656 2. Hold baccalaureate or higher degrees from a regionally
1657 or nationally accredited college or university in the United
1658 States or from a recognized college or university in another
1659 country. This subparagraph applies to full-time teachers hired
1660 after July 1, 2018, who are teaching students in grade 2 or
1661 above.

1662
1663 The private school must report to the department, in a format
1664 developed by the department, the qualifications of each teacher



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1665 hired by the school, including, but not limited to, an
1666 explanation of the objectively identified special skills or
1667 expertise of such teachers, as applicable. Additionally, the
1668 private school must provide to the parent of each scholarship
1669 student, on the school's website or on a written form provided
1670 by the school, the qualifications of each classroom teacher.

1671 (i) Require each employee and contracted personnel with
1672 direct student contact, upon employment or engagement to provide
1673 services, to undergo a state and national background screening,
1674 pursuant to s. 943.0542, by electronically filing with the
1675 Department of Law Enforcement a complete set of fingerprints
1676 taken by an authorized law enforcement agency or an employee of
1677 the private school, a school district, or a private company who
1678 is trained to take fingerprints and deny employment to or
1679 terminate an employee if he or she fails to meet the screening
1680 standards under s. 435.04. Results of the screening shall be
1681 provided to the participating private school. For purposes of
1682 this paragraph:

1683 1. An "employee or contracted personnel with direct student
1684 contact" means any employee or contracted personnel who has
1685 unsupervised access to a scholarship student for whom the
1686 private school is responsible.

1687 2. The costs of fingerprinting and the background check
1688 shall not be borne by the state.

1689 3. Continued employment of an employee or contracted
1690 personnel after notification that he or she has failed the
1691 background screening under this paragraph shall cause a private
1692 school to be ineligible for participation in a scholarship
1693 program.



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1694 4. An employee or contracted personnel holding a valid
1695 Florida teaching certificate who has been fingerprinted pursuant
1696 to s. 1012.32 and who is not ineligible for employment pursuant
1697 to s. 1012.315 is not required to comply with the provisions of
1698 this paragraph.

1699 (4) A private school that accepts scholarship students
1700 under this chapter ~~s. 1002.39~~ ~~or s. 1002.395~~ must:

1701 (a) Disqualify instructional personnel and school
1702 administrators, as defined in s. 1012.01, from employment in any
1703 position that requires direct contact with students if the
1704 personnel or administrators are ineligible for such employment
1705 under s. 1012.315.

1706 (b) Adopt and faithfully implement policies establishing
1707 standards of ethical conduct for instructional personnel and
1708 school administrators. The policies must require all
1709 instructional personnel and school administrators, as defined in
1710 s. 1012.01, to complete training on the standards; establish the
1711 duty of instructional personnel and school administrators to
1712 report, and procedures for reporting, alleged misconduct by
1713 other instructional personnel and school administrators which
1714 affects the health, safety, or welfare of a student; and include
1715 an explanation of the liability protections provided under ss.
1716 39.203 and 768.095. A private school, or any of its employees,
1717 may not enter into a confidentiality agreement regarding
1718 terminated or dismissed instructional personnel or school
1719 administrators, or personnel or administrators who resign in
1720 lieu of termination, based in whole or in part on misconduct
1721 that affects the health, safety, or welfare of a student, and
1722 may not provide the instructional personnel or school



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1723 administrators with employment references or discuss the
1724 personnel's or administrators' performance with prospective
1725 employers in another educational setting, without disclosing the
1726 personnel's or administrators' misconduct. Any part of an
1727 agreement or contract that has the purpose or effect of
1728 concealing misconduct by instructional personnel or school
1729 administrators which affects the health, safety, or welfare of a
1730 student is void, is contrary to public policy, and may not be
1731 enforced.

1732 (c) Before employing instructional personnel or school
1733 administrators in any position that requires direct contact with
1734 students, conduct employment history checks of each of the
1735 personnel's or administrators' previous employers, screen the
1736 personnel or administrators through use of the educator
1737 screening tools described in s. 1001.10(5), and document the
1738 findings. If unable to contact a previous employer, the private
1739 school must document efforts to contact the employer.

1740
1741 The department shall suspend the payment of funds under this
1742 chapter ss. 1002.39 and 1002.395 to a private school that
1743 knowingly fails or refuses to comply with this subsection, and
1744 shall prohibit the school from enrolling new scholarship
1745 students, for 1 fiscal year and until the school complies.

1746 (5) The failure or refusal ~~inability~~ of a private school to
1747 meet the requirements of this section shall constitute a basis
1748 for the ineligibility of the private school to participate in a
1749 scholarship program as determined by the department.

1750 Additionally, a private school is ineligible to participate in a
1751 state scholarship program under this chapter if the owner or



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1752 operator of the private school was a debtor in a voluntary or
1753 involuntary bankruptcy petition within the most recent 5 years.

1754 (7) (a) The department must annually visit at least 5
1755 percent, and may annually visit up to 7 percent, of the private
1756 schools that participate in the state scholarship programs under
1757 this chapter. Site visits required under subsection (8) are not
1758 included in the annual site visits authorized under this
1759 paragraph.

1760 (b) The purposes of the site visits are to verify
1761 compliance with the provisions of this section aimed at
1762 protecting the health, safety, and welfare of students and to
1763 verify the information reported by the schools concerning the
1764 enrollment and attendance of students, the credentials of
1765 teachers, background screening of teachers, and teachers'
1766 fingerprinting results, as required by rules of the State Board
1767 of Education and this section.

1768 (c) The department may make followup site visits at any
1769 time to any school that has received a notice of noncompliance
1770 or a notice of proposed action within the previous 2 years, or
1771 for a cause that affects the health, safety, and welfare of a
1772 student.

1773 (8) (a) The department shall visit each private school that
1774 notifies the department of the school's intent to participate in
1775 a state scholarship program under this chapter.

1776 (b) The purpose of the site visit is to determine that the
1777 school meets the applicable state and local health, safety, and
1778 welfare codes and rules pursuant to this section.

1779 (9) The Division of State Fire Marshal shall annually
1780 provide to the department a fire safety inspection report,



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1781 prepared by the local fire departments or by entities with whom
1782 they contract to perform fire safety inspections of private
1783 schools, for each private school that participates in a state
1784 scholarship program under this chapter.

1785 (10) If a private school that participates in a state
1786 scholarship program under this chapter receives more than
1787 \$250,000 in funds from the scholarships awarded under this
1788 chapter in a state fiscal year, the school must provide to the
1789 department a report of the balance sheet and statement of income
1790 expenditures in accordance with generally accepted accounting
1791 procedures from an independent certified public accountant who
1792 performs the agreed-upon procedures.

1793 (11)~~(7)~~ The State Board of Education shall adopt rules
1794 pursuant to ss. 120.536(1) and 120.54 to administer and enforce
1795 this section.

1796 Section 17. Section 1002.43, Florida Statutes, is repealed.

1797 Section 18. Subsection (13) of section 1003.01, Florida
1798 Statutes, is amended to read:

1799 1003.01 Definitions.—As used in this chapter, the term:

1800 (13) "Regular school attendance" means the actual
1801 attendance of a student during the school day as defined by law
1802 and rules of the State Board of Education. Regular attendance
1803 within the intent of s. 1003.21 may be achieved by a student's
1804 full-time attendance in one of the following options:

1805 (a) A public school supported by public funds, including,
1806 but not limited to, the Florida School for the Deaf and the
1807 Blind, the Florida Virtual School, a developmental research
1808 school, and a charter school established pursuant to chapter
1809 1002.



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1810 ~~(b) A parochial, religious, or denominational school;~~
1811 (b)(e) A private school, as defined in s. 1002.01(2) and in
1812 compliance with s. 1002.42, including, but not limited to, a
1813 private parochial, religious, or denominational school; and a
1814 private school supported in whole or in part by tuition charges
1815 or by endowments or gifts. This option includes an eligible
1816 private school in which a student attends as a participant in a
1817 scholarship program, as defined in s. 1002.01(3).†

1818 (c)(d) A home education program, as defined in s.
1819 1002.01(1), which † that meets the requirements of chapter 1002.†
1820 ~~or~~

1821 ~~(e) A private tutoring program that meets the requirements~~
1822 ~~of chapter 1002.~~

1823 Section 19. Paragraph (f) of subsection (1) of section
1824 1003.26, Florida Statutes, is amended to read:

1825 1003.26 Enforcement of school attendance.—The Legislature
1826 finds that poor academic performance is associated with
1827 nonattendance and that school districts must take an active role
1828 in promoting and enforcing attendance as a means of improving
1829 student performance. It is the policy of the state that each
1830 district school superintendent be responsible for enforcing
1831 school attendance of all students subject to the compulsory
1832 school age in the school district and supporting enforcement of
1833 school attendance by local law enforcement agencies. The
1834 responsibility includes recommending policies and procedures to
1835 the district school board that require public schools to respond
1836 in a timely manner to every unexcused absence, and every absence
1837 for which the reason is unknown, of students enrolled in the
1838 schools. District school board policies shall require the parent



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1839 of a student to justify each absence of the student, and that
1840 justification will be evaluated based on adopted district school
1841 board policies that define excused and unexcused absences. The
1842 policies must provide that public schools track excused and
1843 unexcused absences and contact the home in the case of an
1844 unexcused absence from school, or an absence from school for
1845 which the reason is unknown, to prevent the development of
1846 patterns of nonattendance. The Legislature finds that early
1847 intervention in school attendance is the most effective way of
1848 producing good attendance habits that will lead to improved
1849 student learning and achievement. Each public school shall
1850 implement the following steps to promote and enforce regular
1851 school attendance:

1852 (1) CONTACT, REFER, AND ENFORCE.—

1853 (f)1. If the parent of a child who has been identified as
1854 exhibiting a pattern of nonattendance enrolls the child in a
1855 home education program pursuant to chapter 1002, the district
1856 school superintendent shall provide the parent a copy of s.
1857 1002.41 and the accountability requirements of this paragraph.
1858 The district school superintendent shall also refer the parent
1859 to a home education review committee composed of the district
1860 contact for home education programs and at least two home
1861 educators selected by the parent from a district list of all
1862 home educators who have conducted a home education program for
1863 at least 3 years and who have indicated a willingness to serve
1864 on the committee. The home education review committee shall
1865 review the portfolio of the student, as defined by s. 1002.41,
1866 every 30 days during the district's regular school terms until
1867 the committee is satisfied that the home education program is in



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1868 compliance with s. 1002.41(1)(b). The first portfolio review
1869 must occur within the first 30 calendar days of the
1870 establishment of the program. The provisions of subparagraph 2.
1871 do not apply once the committee determines the home education
1872 program is in compliance with s. 1002.41(1)(b).

1873 2. If the parent fails to provide a portfolio to the
1874 committee, the committee shall notify the district school
1875 superintendent. The district school superintendent shall then
1876 terminate the home education program and require the parent to
1877 enroll the child in an attendance option that meets the
1878 definition of "regular school attendance" under s.
1879 1003.01(13)(a) or (b) ~~s. 1003.01(13)(a), (b), (c), or (e)~~,
1880 within 3 days. Upon termination of a home education program
1881 pursuant to this subparagraph, the parent shall not be eligible
1882 to reenroll the child in a home education program for 180
1883 calendar days. Failure of a parent to enroll the child in an
1884 attendance option as required by this subparagraph after
1885 termination of the home education program pursuant to this
1886 subparagraph shall constitute noncompliance with the compulsory
1887 attendance requirements of s. 1003.21 and may result in criminal
1888 prosecution under s. 1003.27(2). Nothing contained herein shall
1889 restrict the ability of the district school superintendent, or
1890 the ability of his or her designee, to review the portfolio
1891 pursuant to s. 1002.41(1)(b).

1892 Section 20. Paragraph (d) of subsection (2) of section
1893 1003.41, Florida Statutes, is amended and paragraph (f) is added
1894 to that subsection, to read:

1895 1003.41 Next Generation Sunshine State Standards.—

1896 (2) Next Generation Sunshine State Standards must meet the



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1897 following requirements:

1898 (d) Social Studies standards must establish specific
1899 curricular content for, at a minimum, geography, United States
1900 and world history, government, civics, humanities, and
1901 economics, including financial literacy. Financial literacy
1902 includes the knowledge, understanding, skills, behaviors,
1903 attitudes, and values that will enable a student to make
1904 responsible and effective financial decisions on a daily basis.
1905 Financial literacy instruction shall be an integral part of
1906 instruction throughout the entire economics course and include
1907 information regarding earning income; buying goods and services;
1908 saving and financial investing; taxes; the use of credit and
1909 credit cards; budgeting and debt management, including student
1910 loans and secured loans; banking and financial services;
1911 planning for one's financial future, including higher education
1912 and career planning; credit reports and scores; and fraud and
1913 identity theft prevention. The requirements for financial
1914 literacy specified under this paragraph do not apply to students
1915 entering grade 9 in the 2018-2019 school year and thereafter.

1916 (f) Effective for students entering grade 9 in the 2018-
1917 2019 school year and thereafter, financial literacy standards
1918 must establish specific curricular content for, at a minimum,
1919 personal financial literacy and money management. Financial
1920 literacy includes instruction in the areas specified in s.
1921 1003.4282(3)(h).

1922 Section 21. Paragraphs (d) and (g) of subsection (3) of
1923 section 1003.4282, Florida Statutes, are amended, and paragraph
1924 (h) is added to that subsection, to read:

1925 1003.4282 Requirements for a standard high school diploma.-



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1926 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT
1927 REQUIREMENTS.—

1928 (d) *Three credits in social studies.*—A student must earn
1929 one credit in United States History; one credit in World
1930 History; one-half credit in economics, which must include
1931 financial literacy; and one-half credit in United States
1932 Government. The United States History EOC assessment constitutes
1933 30 percent of the student's final course grade. However, for a
1934 student entering grade 9 in the 2018-2019 school year or
1935 thereafter, financial literacy is not a required component of
1936 the one-half credit in economics.

1937 (g) ~~Eight~~ *Credits in Electives.*—School districts must
1938 develop and offer coordinated electives so that a student may
1939 develop knowledge and skills in his or her area of interest,
1940 such as electives with a STEM or liberal arts focus. Such
1941 electives must include opportunities for students to earn
1942 college credit, including industry-certified career education
1943 programs or series of career-themed courses that result in
1944 industry certification or articulate into the award of college
1945 credit, or career education courses for which there is a
1946 statewide or local articulation agreement and which lead to
1947 college credit. A student entering grade 9 before the 2018-2019
1948 school year must earn eight credits in electives. A student
1949 entering grade 9 in the 2018-2019 school year or thereafter must
1950 earn seven and one-half credits in electives.

1951 (h) One-half credit in personal financial literacy.—
1952 Beginning with students entering grade 9 in the 2018-2019 school
1953 year, each student shall earn one-half credit in personal
1954 financial literacy and money management. This instruction must



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- 1955 include discussion of or instruction in the following:
1956 1. Types of bank accounts offered, opening and managing a
1957 bank account, and assessing the quality of a depository
1958 institution's services.
1959 2. Balancing a checkbook.
1960 3. Basic principles of money management, such as spending,
1961 credit, credit scores, and managing debt, including retail and
1962 credit card debt.
1963 4. Completing a loan application.
1964 5. Receiving an inheritance and related implications.
1965 6. Basic principles of personal insurance policies.
1966 7. Computing federal income taxes.
1967 8. Local tax assessments.
1968 9. Computing interest rates by various mechanisms.
1969 10. Simple contracts.
1970 11. Contesting an incorrect billing statement.
1971 12. Types of savings and investments.
1972 13. State and federal laws concerning finance.

1973 Section 22. Section 1006.061, Florida Statutes, is amended
1974 to read:

1975 1006.061 Child abuse, abandonment, and neglect policy.—Each
1976 district school board, charter school, and private school that
1977 accepts scholarship students under s. 1002.385, s. 1002.39, ~~or~~
1978 s. 1002.395, or another state scholarship program under chapter
1979 1002 shall:

1980 (1) Post in a prominent place in each school a notice that,
1981 pursuant to chapter 39, all employees and agents of the district
1982 school board, charter school, or private school have an
1983 affirmative duty to report all actual or suspected cases of



1984 child abuse, abandonment, or neglect; have immunity from
1985 liability if they report such cases in good faith; and have a
1986 duty to comply with child protective investigations and all
1987 other provisions of law relating to child abuse, abandonment,
1988 and neglect. The notice shall also include the statewide toll-
1989 free telephone number of the central abuse hotline.

1990 (2) Post in a prominent place at each school site and on
1991 each school's Internet website, if available, the policies and
1992 procedures for reporting alleged misconduct by instructional
1993 personnel or school administrators which affects the health,
1994 safety, or welfare of a student; the contact person to whom the
1995 report is made; and the penalties imposed on instructional
1996 personnel or school administrators who fail to report suspected
1997 or actual child abuse or alleged misconduct by other
1998 instructional personnel or school administrators.

1999 (3) Require the principal of the charter school or private
2000 school, or the district school superintendent, or the
2001 superintendent's designee, at the request of the Department of
2002 Children and Families, to act as a liaison to the Department of
2003 Children and Families and the child protection team, as defined
2004 in s. 39.01, when in a case of suspected child abuse,
2005 abandonment, or neglect or an unlawful sexual offense involving
2006 a child the case is referred to such a team; except that this
2007 does not relieve or restrict the Department of Children and
2008 Families from discharging its duty and responsibility under the
2009 law to investigate and report every suspected or actual case of
2010 child abuse, abandonment, or neglect or unlawful sexual offense
2011 involving a child.

2012 (4) (a) Post in a prominent place in a clearly visible



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2013 location and public area of the school which is readily
2014 accessible to and widely used by students a sign in English and
2015 Spanish that contains:

2016 1. The statewide toll-free telephone number of the central
2017 abuse hotline as provided in chapter 39;

2018 2. Instructions to call 911 for emergencies; and

2019 3. Directions for accessing the Department of Children and
2020 Families Internet website for more information on reporting
2021 abuse, neglect, and exploitation.

2022 (b) The information in paragraph (a) must be put on at
2023 least one poster in each school, on a sheet that measures at
2024 least 11 inches by 17 inches, produced in large print, and
2025 placed at student eye level for easy viewing.

2026
2027 The Department of Education shall develop, and publish on the
2028 department's Internet website, sample notices suitable for
2029 posting in accordance with subsections (1), (2), and (4).

2030 Section 23. Section 1007.273, Florida Statutes, is amended
2031 to read:

2032 1007.273 Structured high school acceleration programs
2033 ~~Collegiate high school program.~~

2034 ~~(1)~~ Each Florida College System institution shall work with
2035 each district school board in its designated service area to
2036 establish one or more structured programs, including, but not
2037 limited to, collegiate high school programs. As used in this
2038 section, the term "structured program" means a structured high
2039 school acceleration program.

2040 (1)~~(2)~~ PURPOSE.—At a minimum, structured ~~collegiate high~~
2041 ~~school~~ programs must include an option for public school



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2042 students in grade 11 or grade 12 participating in the structured
2043 program, for at least 1 full school year, to earn CAPE industry
2044 certifications pursuant to s. 1008.44, and to successfully
2045 complete at least 30 credit hours through the dual enrollment
2046 program under s. 1007.271. The structured program must
2047 prioritize dual enrollment courses that are applicable toward
2048 general education core courses or common prerequisite course
2049 requirements under s. 1007.25 over dual enrollment courses
2050 applicable as electives toward at least the first year of
2051 college for an associate degree or baccalaureate degree while
2052 enrolled in the structured program. A district school board may
2053 not limit the number of eligible public school students who may
2054 enroll in such structured programs.

2055 (2)(3) REQUIRED STRUCTURED PROGRAM CONTRACTS.-

2056 (a) Each district school board and its local Florida
2057 College System institution shall execute a contract to establish
2058 one or more structured ~~collegiate high school~~ programs at a
2059 mutually agreed upon location or locations. ~~Beginning with the~~
2060 ~~2015-2016 school year,~~ If the local Florida College System
2061 institution does not establish a structured program with a
2062 district school board in its designated service area, another
2063 Florida College System institution may execute a contract with
2064 that district school board to establish the structured program.
2065 The contract must be executed by January 1 of each school year
2066 for implementation of the structured program during the next
2067 school year. By August 1, 2018, a contract entered into before
2068 January 1, 2018, for the 2018-2019 school year must be modified
2069 to include the provisions of paragraph (b).

2070 (b) The contract must:



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2071 1.(a) Identify the grade levels to be included in the
2072 structured collegiate high school program; ~~which must, at a~~
2073 ~~minimum, include grade 12.~~

2074 2.(b) Describe the structured collegiate high school
2075 program, including a list of the meta-major academic pathways
2076 approved pursuant to s. 1008.30(4), which are available to
2077 participating students through the partner Florida College
2078 System institution or other eligible partner postsecondary
2079 institutions; the delineation of courses that must, at a
2080 minimum, include general education core courses and common
2081 prerequisite course requirements pursuant to s. 1007.25; and
2082 industry certifications offered, including online course
2083 availability; the high school and college credits earned for
2084 each postsecondary course completed and industry certification
2085 earned; student eligibility criteria; and the enrollment process
2086 and relevant deadlines;

2087 3.(c) Describe the methods, medium, and process by which
2088 students and their parents are annually informed about the
2089 availability of the structured collegiate high school program,
2090 the return on investment associated with participation in the
2091 structured program, and the information described in
2092 subparagraphs 1. and 2.; paragraphs (a) and (b).

2093 4.(d) Identify the delivery methods for instruction and the
2094 instructors for all courses;

2095 5.(e) Identify student advising services and progress
2096 monitoring mechanisms;

2097 6.(f) Establish a program review and reporting mechanism
2098 regarding student performance outcomes; and

2099 7.(g) Describe the terms of funding arrangements to



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2100 implement the structured ~~collegiate high school~~ program pursuant
2101 to paragraph (5) (a).

2102 (3) STUDENT PERFORMANCE CONTRACT AND NOTIFICATION.—

2103 (a) ~~(4)~~ Each student participating in a structured
2104 ~~collegiate high school~~ program must enter into a student
2105 performance contract which must be signed by the student, the
2106 parent, and a representative of the school district and the
2107 applicable Florida College System institution, state university,
2108 or other institution participating pursuant to subsection (4)
2109 ~~(5)~~. The performance contract must, at a minimum, specify
2110 ~~include~~ the schedule of courses, by semester, and industry
2111 certifications to be taken by the student, if any; student
2112 attendance requirements; ~~and~~ course grade requirements; and the
2113 applicability of such courses to an associate degree or a
2114 baccalaureate degree.

2115 (b) By September 1 of each school year, each district
2116 school board must notify each student enrolled in grades 9, 10,
2117 11, and 12 in a public school within the school district about
2118 the structured program, including, but not limited to:

2119 1. The method for earning college credit through
2120 participation in the structured program. The notification must
2121 include website links to the dual enrollment course equivalency
2122 list approved by the State Board of Education; the common degree
2123 program prerequisite requirements published by the Articulation
2124 Coordinating Committee pursuant to s. 1007.01(3) (f); the
2125 industry certification articulation agreements adopted by the
2126 State Board of Education in rule; and the approved meta-major
2127 academic pathways of the partner Florida College System
2128 institution and other eligible partner postsecondary



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2129 institutions participating pursuant to subsection (4); and
2130 2. The estimated cost savings to students and their
2131 families resulting from students successfully completing 30
2132 credit hours applicable toward general education core courses or
2133 common prerequisite course requirements before graduating from
2134 high school versus the cost of earning such credit hours after
2135 graduating from high school.

2136 (4) ~~(5)~~ AUTHORIZED STRUCTURED PROGRAM CONTRACTS.—In addition
2137 to executing a contract with the local Florida College System
2138 institution under this section, a district school board may
2139 execute a contract to establish a structured ~~collegiate high~~
2140 ~~school~~ program with a state university or an institution that is
2141 eligible to participate in the William L. Boyd, IV, Florida
2142 Resident Access Grant Program, that is a nonprofit independent
2143 college or university located and chartered in this state, and
2144 that is accredited by the Commission on Colleges of the Southern
2145 Association of Colleges and Schools to grant baccalaureate
2146 degrees. Such university or institution must meet the
2147 requirements specified under subsections (2) ~~(3)~~ and (3). A
2148 charter school may execute a contract directly with the local
2149 Florida College System institution or another institution as
2150 authorized under this section to establish a structured program
2151 at a mutually agreed upon location ~~(4)~~.

2152 (5) FUNDING.—

2153 (a) ~~(6)~~ The structured ~~collegiate high school~~ program shall
2154 be funded pursuant to ss. 1007.271 and 1011.62. The State Board
2155 of Education shall enforce compliance with this section by
2156 withholding the transfer of funds for the school districts ~~and~~
2157 ~~the Florida College System institutions~~ in accordance with s.



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2158 1008.32. Annually, by December 31, the State Board of Education
2159 shall enforce compliance with this section by withholding the
2160 transfer of funds for the Florida College System institutions in
2161 accordance with s. 1008.32

2162 (b) A student who enrolls in the structured program and
2163 successfully completes at least 30 college credit hours during a
2164 school year through the dual enrollment program under s.
2165 1007.271 generates a 0.5 full-time equivalent (FTE) bonus. A
2166 student who enrolls in the structured program and successfully
2167 completes an additional 30 college credit hours during a school
2168 year, resulting in at least 60 college credit hours through the
2169 dual enrollment program under s. 1007.271 applicable toward
2170 fulfilling the requirements for an associate in arts degree or
2171 an associate in science degree or a baccalaureate degree
2172 pursuant to the student performance contract under subsection
2173 (3), before graduating from high school, generates an additional
2174 0.5 FTE bonus. Each district school board that is a contractual
2175 partner with a Florida College System institution or other
2176 eligible postsecondary institution shall report to the
2177 commissioner the total FTE bonus for each structured program for
2178 the students from that school district. The total FTE bonus
2179 shall be added to each school district's total weighted FTE for
2180 funding in the subsequent fiscal year.

2181 (c) For any industry certification a student attains under
2182 this section, the FTE bonus shall be calculated and awarded in
2183 accordance with s. 1011.62(1)(o).

2184 (6) REPORTING REQUIREMENTS.—

2185 (a) By September 1 of each school year, each district
2186 school superintendent shall report to the commissioner, at a



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2187 minimum, the following information on each structured program
2188 administered during the prior school year:

2189 1. The number of students in public schools within the
2190 school district who enrolled in the structured program, and the
2191 partnering postsecondary institutions pursuant to subsections
2192 (2) and (4);

2193 2. The total and average number of dual enrollment courses
2194 completed, high school and college credits earned, standard high
2195 school diplomas and associate and baccalaureate degrees awarded,
2196 and the number of industry certifications attained, if any, by
2197 the students who enrolled in the structured program;

2198 3. The projected student enrollment in the structured
2199 program during the next school year; and

2200 4. Any barriers to executing contracts to establish one or
2201 more structured programs.

2202 (b) By November 30 of each school year, the commissioner
2203 must report to the Governor, the President of the Senate, and
2204 the Speaker of the House of Representatives the status of
2205 structured programs, including, at a minimum, a summary of
2206 student enrollment and completion information pursuant to this
2207 subsection; barriers, if any, to establishing such programs; and
2208 recommendations for expanding access to such programs statewide.

2209 Section 24. Paragraph (c) of subsection (3) and subsection
2210 (4) of section 1008.33, Florida Statutes, are amended to read:

2211 1008.33 Authority to enforce public school improvement.—

2212 (3)

2213 (c) The state board shall adopt by rule a differentiated
2214 matrix of intervention and support strategies for assisting
2215 traditional public schools identified under this section and



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2216 rules for implementing s. 1002.33(9)(n), relating to charter
2217 schools.

2218 1. The intervention and support strategies must address
2219 efforts to improve student performance through one or more of
2220 the following strategies: and may include

2221 a. Improvement planning;

2222 b. Leadership quality improvement;

2223 c. Educator quality improvement;

2224 d. Professional development;

2225 e. Curriculum review, pacing, and alignment across grade
2226 levels to improve background knowledge in social studies,
2227 science, and the arts; and

2228 f. The use of continuous improvement and monitoring plans
2229 and processes.

2230 2. ~~In addition,~~ The state board may prescribe reporting
2231 requirements to review and monitor the progress of the schools.
2232 The rule must define the intervention and support strategies for
2233 school improvement for schools earning a grade of "D" or "F" and
2234 the roles for the district and department.

2235 (4)(a) The state board shall apply intensive intervention
2236 and support strategies tailored to the needs of schools earning
2237 two consecutive grades of "D" or a grade of "F." In the first
2238 full school year after a school initially earns two consecutive
2239 grades of "D" or a grade of "F," the school district must
2240 immediately implement intervention and support strategies
2241 prescribed in rule under paragraph (3)(c) and, by September 1,
2242 provide the department with the memorandum of understanding
2243 negotiated pursuant to s. 1001.42(21) and, by October 1, a
2244 district-managed turnaround plan for approval by the state



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2245 board. The district-managed turnaround plan may include a
2246 proposal for the district to implement an extended school day, a
2247 summer program, or a combination of an extended school day and
2248 summer program. Upon approval by the state board, the school
2249 district must implement the plan for the remainder of the school
2250 year and continue the plan for 1 full school year. The state
2251 board may allow a school an additional year of implementation
2252 before the school must implement a turnaround option required
2253 under paragraph (b) if it determines that the school is likely
2254 to improve to a grade of "C" or higher after the first full
2255 school year of implementation.

2256 (b) Unless an additional year of implementation is provided
2257 pursuant to paragraph (a), a school that has completed 2 school
2258 years of a district-managed turnaround plan required under
2259 paragraph (a) and has not improved its school grade to a "C" or
2260 higher, pursuant to s. 1008.34, earns three consecutive grades
2261 below a "C" must implement one of the following options:

2262 1. Reassign students to another school and monitor the
2263 progress of each reassigned student.†

2264 2. Close the school and reopen the school as one or more
2265 charter schools, each with a governing board that has a
2266 demonstrated record of effectiveness. Such charter schools are
2267 eligible for funding from the hope supplemental services
2268 allocation established by s. 1011.62(16).†-or

2269 3. Contract with an outside entity that has a demonstrated
2270 record of effectiveness to operate the school. An outside entity
2271 may include:

2272 a. A district-managed charter school in which all
2273 instructional personnel are not employees of the school



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2274 district, but are employees of an independent governing board
2275 composed of members who did not participate in the review or
2276 approval of the charter. A district-managed charter school is
2277 eligible for funding from the hope supplemental services
2278 allocation established by s. 1011.62(16); or

2279 b. A hope operator that submits to a school district a
2280 notice of intent of a performance-based agreement pursuant to s.
2281 1002.333. A school of hope established pursuant to this sub-
2282 subparagraph is eligible for funding from the hope supplemental
2283 services allocation for up to 5 years, beginning in the school
2284 year in which the school of hope is established, if the school
2285 of hope:

2286 (I) Is established at the district-owned facilities of the
2287 persistently low-performing school;

2288 (II) Gives priority enrollment to students who are enrolled
2289 in, or are eligible to attend and are living in the attendance
2290 area of, the persistently low-performing school that the school
2291 of hope operates, consistent with the enrollment lottery
2292 exemption provided under s. 1002.333(5)(c); and

2293 (III) Meets the requirements of its performance-based
2294 agreement pursuant to s. 1002.333.

2295 4. Implement a franchise model school in which a highly
2296 effective principal, pursuant to s. 1012.34, leads the
2297 persistently low-performing school in addition to the
2298 principal's currently assigned school. The franchise model
2299 school principal may allocate resources and personnel between
2300 the schools he or she leads. The persistently low-performing
2301 school is eligible for funding from the hope supplemental
2302 services allocation established under s. 1011.62(16).



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2303 (c) Implementation of the turnaround option is no longer
2304 required if the school improves to a grade of "C" or higher.

2305 (d) If a school ~~earning two consecutive grades of "D" or a~~
2306 ~~grade of "F"~~ does not improve to a grade of "C" or higher after
2307 2 full school years of implementing the turnaround option
2308 selected by the school district under paragraph (b), the school
2309 district must implement another turnaround option.

2310 Implementation of the turnaround option must begin the school
2311 year following the implementation period of the existing
2312 turnaround option, unless the state board determines that the
2313 school is likely to improve to a grade of "C" or higher if
2314 additional time is provided to implement the existing turnaround
2315 option.

2316 Section 25. Present subsections (16) and (17) of section
2317 1011.62, Florida Statutes, are redesignated as subsections (19)
2318 and (20), respectively, new subsections (16) and (17) and
2319 subsection (18) are added to that section, and paragraph (a) of
2320 subsection (4) and subsection (14) of that section are amended,
2321 to read:

2322 1011.62 Funds for operation of schools.—If the annual
2323 allocation from the Florida Education Finance Program to each
2324 district for operation of schools is not determined in the
2325 annual appropriations act or the substantive bill implementing
2326 the annual appropriations act, it shall be determined as
2327 follows:

2328 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The
2329 Legislature shall prescribe the aggregate required local effort
2330 for all school districts collectively as an item in the General
2331 Appropriations Act for each fiscal year. The amount that each



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2332 district shall provide annually toward the cost of the Florida
2333 Education Finance Program for kindergarten through grade 12
2334 programs shall be calculated as follows:

2335 (a) *Estimated taxable value calculations.*—

2336 1.a. Not later than 2 working days before July 19, the
2337 Department of Revenue shall certify to the Commissioner of
2338 Education its most recent estimate of the taxable value for
2339 school purposes in each school district and the total for all
2340 school districts in the state for the current calendar year
2341 based on the latest available data obtained from the local
2342 property appraisers. The value certified shall be the taxable
2343 value for school purposes for that year, and no further
2344 adjustments shall be made, except those made pursuant to
2345 paragraphs (c) and (d), or an assessment roll change required by
2346 final judicial decisions as specified in paragraph (19)(b)
2347 ~~(16)(b)~~. Not later than July 19, the Commissioner of Education
2348 shall compute a millage rate, rounded to the next highest one
2349 one-thousandth of a mill, which, when applied to 96 percent of
2350 the estimated state total taxable value for school purposes,
2351 would generate the prescribed aggregate required local effort
2352 for that year for all districts. The Commissioner of Education
2353 shall certify to each district school board the millage rate,
2354 computed as prescribed in this subparagraph, as the minimum
2355 millage rate necessary to provide the district required local
2356 effort for that year.

2357 b. The General Appropriations Act shall direct the
2358 computation of the statewide adjusted aggregate amount for
2359 required local effort for all school districts collectively from
2360 ad valorem taxes to ensure that no school district's revenue



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2361 from required local effort millage will produce more than 90
2362 percent of the district's total Florida Education Finance
2363 Program calculation as calculated and adopted by the
2364 Legislature, and the adjustment of the required local effort
2365 millage rate of each district that produces more than 90 percent
2366 of its total Florida Education Finance Program entitlement to a
2367 level that will produce only 90 percent of its total Florida
2368 Education Finance Program entitlement in the July calculation.

2369 2. On the same date as the certification in sub-
2370 subparagraph 1.a., the Department of Revenue shall certify to
2371 the Commissioner of Education for each district:

2372 a. Each year for which the property appraiser has certified
2373 the taxable value pursuant to s. 193.122(2) or (3), if
2374 applicable, since the prior certification under sub-subparagraph
2375 1.a.

2376 b. For each year identified in sub-subparagraph a., the
2377 taxable value certified by the appraiser pursuant to s.
2378 193.122(2) or (3), if applicable, since the prior certification
2379 under sub-subparagraph 1.a. This is the certification that
2380 reflects all final administrative actions of the value
2381 adjustment board.

2382 (14) QUALITY ASSURANCE GUARANTEE.—The Legislature may
2383 annually in the General Appropriations Act determine a
2384 percentage increase in funds per K-12 unweighted FTE as a
2385 minimum guarantee to each school district. The guarantee shall
2386 be calculated from prior year base funding per unweighted FTE
2387 student which shall include the adjusted FTE dollars as provided
2388 in subsection (19) ~~(16)~~, quality guarantee funds, and actual
2389 nonvoted discretionary local effort from taxes. From the base



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2390 funding per unweighted FTE, the increase shall be calculated for
2391 the current year. The current year funds from which the
2392 guarantee shall be determined shall include the adjusted FTE
2393 dollars as provided in subsection (19) ~~(16)~~ and potential
2394 nonvoted discretionary local effort from taxes. A comparison of
2395 current year funds per unweighted FTE to prior year funds per
2396 unweighted FTE shall be computed. For those school districts
2397 which have less than the legislatively assigned percentage
2398 increase, funds shall be provided to guarantee the assigned
2399 percentage increase in funds per unweighted FTE student. Should
2400 appropriated funds be less than the sum of this calculated
2401 amount for all districts, the commissioner shall prorate each
2402 district's allocation. This provision shall be implemented to
2403 the extent specifically funded.

2404 (16) HOPE SUPPLEMENTAL SERVICES ALLOCATION.-The hope
2405 supplemental services allocation is created to provide district-
2406 managed turnaround schools, as required under s. 1008.33(4)(a),
2407 charter schools authorized under s. 1008.33(4)(b)2., district-
2408 managed charter schools authorized under s. 1008.33(4)(b)3.a.,
2409 schools of hope authorized under s. 1008.33(4)(b)3.b., and
2410 franchise model schools as authorized under s. 1008.33(4)(b)4.,
2411 with funds to offer services designed to improve the overall
2412 academic and community welfare of the schools' students and
2413 their families.

2414 (a) Services funded by the allocation may include, but are
2415 not limited to, tutorial and after-school programs, student
2416 counseling, nutrition education, and parental counseling. In
2417 addition, services may also include models that develop a
2418 culture that encourages students to complete high school and to



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2419 attend college or career training, set high academic
2420 expectations, inspire character development, and include an
2421 extended school day and school year.

2422 (b) Prior to distribution of the allocation, a school
2423 district, for a district turnaround school and persistently low-
2424 performing schools that use a franchise model; a hope operator,
2425 for a school of hope; or the charter school governing board for
2426 a charter school, as applicable, shall develop and submit a plan
2427 for implementation to its respective governing body for approval
2428 no later than August 1 of the fiscal year.

2429 (c) At a minimum, the plans required under paragraph (b)
2430 must:

2431 1. Establish comprehensive support services that develop
2432 family and community partnerships;

2433 2. Establish clearly defined and measurable high academic
2434 and character standards;

2435 3. Increase parental involvement and engagement in the
2436 child's education;

2437 4. Describe how instructional personnel will be identified,
2438 recruited, retained, and rewarded;

2439 5. Provide professional development that focuses on
2440 academic rigor, direct instruction, and creating high academic
2441 and character standards; and

2442 6. Provide focused instruction to improve student academic
2443 proficiency, which may include additional instruction time
2444 beyond the normal school day or school year.

2445 (d) Each school district and hope operator shall submit
2446 approved plans to the commissioner by September 1 of each fiscal
2447 year.



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2448 (e) For the 2018-2019 fiscal year, a school that is
2449 selected to receive funding in the 2017-2018 fiscal year
2450 pursuant to s. 1002.333(10)(c) shall receive \$2,000 per FTE. A
2451 district-managed turnaround school required under s.
2452 1008.33(4)(a), charter school authorized under s.
2453 1008.33(4)(b)2., district-managed charter school authorized
2454 under s. 1008.33(4)(b)3.a., school of hope authorized under s.
2455 1008.33(4)(b)3.b., and franchise model school authorized under
2456 s. 1008.33(4)(b)4. are eligible for the remaining funds based on
2457 the school's unweighted FTE, up to \$2,000 per FTE or as provided
2458 in the General Appropriations Act.

2459 (f) For the 2019-2020 fiscal year and thereafter, each
2460 school district's allocation shall be based on the unweighted
2461 FTE student enrollment at the eligible schools and a per-FTE
2462 funding amount of up to \$2,000 per FTE or as provided in the
2463 General Appropriations Act. If the calculated funds for
2464 unweighted FTE student enrollment at the eligible schools exceed
2465 the per-FTE funds appropriated, the allocation of funds to each
2466 school district must be prorated based on each school district's
2467 share of the total unweighted FTE student enrollment for the
2468 eligible schools.

2469 (17) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental health
2470 assistance allocation is created to provide supplemental funding
2471 to assist school districts in establishing or expanding
2472 comprehensive school-based mental health programs that increase
2473 awareness of mental health issues among children and school-age
2474 youth; train educators and other school staff in detecting and
2475 responding to mental health issues; and connect children, youth,
2476 and families who may experience behavioral health issues with



2477 appropriate services. These funds may be allocated annually in
2478 the General Appropriations Act to each eligible school district
2479 and developmental research school based on each entity's
2480 proportionate share of Florida Education Finance Program base
2481 funding. The district funding allocation must include a minimum
2482 amount as specified in the General Appropriations Act. Upon
2483 submission and approval of a plan that includes the elements
2484 specified in paragraph (b), charter schools are also entitled to
2485 a proportionate share of district funding for this program. The
2486 allocated funds may not supplant funds that are provided for
2487 this purpose from other operating funds and may not be used to
2488 increase salaries or provide bonuses.

2489 (a) Prior to the distribution of the allocation:

2490 1. The district must annually develop and submit a detailed
2491 plan outlining the local program and planned expenditures to the
2492 district school board for approval.

2493 2. A charter school must annually develop and submit a
2494 detailed plan outlining the local program and planned
2495 expenditures of the funds in the plan to its governing body for
2496 approval. After the plan is approved by the governing body, it
2497 must be provided to its school district for submission to the
2498 commissioner.

2499 (b) The plans required under paragraph (a) must include, at
2500 a minimum, all of the following elements:

2501 1. A collaborative effort or partnership between the school
2502 district and at least one local community program or agency
2503 involved in mental health to provide or to improve prevention,
2504 diagnosis, and treatment services for students;

2505 2. Programs to assist students in dealing with bullying,



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2506 trauma, and violence;
2507 3. Strategies or programs to reduce the likelihood of at-
2508 risk students developing social, emotional, or behavioral health
2509 problems or substance use disorders;
2510 4. Strategies to improve the early identification of
2511 social, emotional, or behavioral problems or substance use
2512 disorders and to improve the provision of early intervention
2513 services;
2514 5. Strategies to enhance the availability of school-based
2515 crisis intervention services and appropriate referrals for
2516 students in need of mental health services; and
2517 6. Training opportunities for school personnel in the
2518 techniques and supports needed to identify students who have
2519 trauma histories and who have or are at risk of having a mental
2520 illness, and in the use of referral mechanisms that effectively
2521 link such students to appropriate treatment and intervention
2522 services in the school and in the community.
2523 (c) The districts shall submit approved plans to the
2524 commissioner by August 1 of each fiscal year.
2525 (d) Beginning September 30, 2019, and by each September 30
2526 thereafter, each entity that receives an allocation under this
2527 subsection shall submit to the commissioner, in a format
2528 prescribed by the department, a final report on its program
2529 outcomes and its expenditures for each element of the program.
2530 (18) FUNDING COMPRESSION ALLOCATION.—The Legislature may
2531 provide an annual funding compression allocation in the General
2532 Appropriations Act. The allocation is created to provide
2533 additional funding to school districts and developmental
2534 research schools whose total funds per FTE in the prior year



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2535 were less than the statewide average. Using the most recent
2536 prior year FEFP calculation for each eligible school district,
2537 the total funds per FTE shall be subtracted from the state
2538 average funds per FTE, not including any adjustments made
2539 pursuant to paragraph (19) (b). The resulting funds per FTE
2540 difference, or a portion thereof, as designated in the General
2541 Appropriations Act, shall then be multiplied by the school
2542 district's total unweighted FTE to provide the allocation. If
2543 the calculated funds are greater than the amount included in the
2544 General Appropriations Act, they must be prorated to the
2545 appropriation amount based on each participating school
2546 district's share.

2547 Section 26. Subsection (5) of section 1011.69, Florida
2548 Statutes, is amended to read:

2549 1011.69 Equity in School-Level Funding Act.—

2550 (5) After providing Title I, Part A, Basic funds to schools
2551 above the 75 percent poverty threshold, which may include high
2552 schools above the 50 percent threshold as allowed by federal
2553 law, school districts shall provide any remaining Title I, Part
2554 A, Basic funds directly to all eligible schools as provided in
2555 this subsection. For purposes of this subsection, an eligible
2556 school is a school that is eligible to receive Title I funds,
2557 including a charter school. The threshold for identifying
2558 eligible schools may not exceed the threshold established by a
2559 school district for the 2016-2017 school year or the statewide
2560 percentage of economically disadvantaged students, as determined
2561 annually.

2562 (a) Prior to the allocation of Title I funds to eligible
2563 schools, a school district may withhold funds only as follows:



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2564 1. One percent for parent involvement, in addition to the
2565 one percent the district must reserve under federal law for
2566 allocations to eligible schools for parent involvement;
2567 2. A necessary and reasonable amount for administration;
2568 3. ~~which includes~~ The district's approved indirect cost
2569 rate, ~~not to exceed a total of 8 percent; and~~
2570 4. ~~3.~~ A reasonable and necessary amount to provide:
2571 a. Homeless programs;
2572 b. Delinquent and neglected programs;
2573 c. Prekindergarten programs and activities;
2574 d. Private school equitable services; and
2575 e. Transportation for foster care children to their school
2576 of origin or choice programs; ~~and~~.
2577 5. A necessary and reasonable amount for eligible schools
2578 to provide:
2579 a. Extended learning opportunities, such as summer school,
2580 before-school and after-school programs, and additional class
2581 periods of instruction during the school day; and
2582 b. Supplemental academic and enrichment services, staff
2583 development, and planning and curriculum, as well as wrap-around
2584 services.
2585 (b) All remaining Title I funds shall be distributed to all
2586 eligible schools in accordance with federal law and regulation.
2587 To maximize the efficient use of resources, school districts may
2588 allow eligible schools, not including charter schools, to ~~An~~
2589 eligible school may use funds under this subsection for
2590 district-level ~~to participate in discretionary~~ educational
2591 services provided by the school district.
2592 Section 27. Subsection (5) of section 1011.71, Florida



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2593 Statutes, is amended to read:

2594 1011.71 District school tax.—

2595 (5) ~~Effective July 1, 2008,~~ A school district may expend,
2596 subject to ~~the provisions of~~ s. 200.065, up to \$150 ~~\$100~~ per
2597 unweighted full-time equivalent student from the revenue
2598 generated by the millage levy authorized by subsection (2) to
2599 fund, in addition to expenditures authorized in paragraphs
2600 (2) (a)-(j), expenses for the following:

2601 (a) The purchase, lease-purchase, or lease of driver's
2602 education vehicles; motor vehicles used for the maintenance or
2603 operation of plants and equipment; security vehicles; or
2604 vehicles used in storing or distributing materials and
2605 equipment.

2606 (b) Payment of the cost of premiums, as defined in s.
2607 627.403, for property and casualty insurance necessary to insure
2608 school district educational and ancillary plants. As used in
2609 this paragraph, casualty insurance has the same meaning as in s.
2610 624.605(1) (d), (f), (g), (h), and (m). Operating revenues that
2611 are made available through the payment of property and casualty
2612 insurance premiums from revenues generated under this subsection
2613 may be expended only for nonrecurring operational expenditures
2614 of the school district.

2615 Section 28. Subsection (4) of section 1012.2315, Florida
2616 Statutes, is amended to read:

2617 1012.2315 Assignment of teachers.—

2618 (4) COLLECTIVE BARGAINING.—

2619 (a) Notwithstanding provisions of chapter 447 relating to
2620 district school board collective bargaining, collective
2621 bargaining provisions may not preclude a school district from



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2622 providing incentives to high-quality teachers and assigning such
2623 teachers to low-performing schools.

2624 (b)1. In addition to the provisions under s. 447.305(2), an
2625 employee organization that has been certified as the bargaining
2626 agent for a unit of instructional personnel as defined in s.
2627 1012.01(2) must include for each such certified bargaining unit
2628 the following information in its application for renewal of
2629 registration:

2630 a. The number of employees in the bargaining unit who are
2631 eligible for representation by the employee organization.

2632 b. The number of employees who are represented by the
2633 employee organization, specifying the number of members who pay
2634 dues and the number of members who do not pay dues.

2635 2. Notwithstanding the provisions of chapter 447 relating
2636 to collective bargaining, an employee organization whose dues
2637 paying membership is less than 50 percent of the employees
2638 eligible for representation in the unit, as identified in
2639 subparagraph 1., must petition the Public Employees Relations
2640 Commission pursuant to s. 447.307(2) and (3) for recertification
2641 as the exclusive representative of all employees in the unit
2642 within 1 month after the date on which the organization applies
2643 for renewal of registration pursuant to s. 447.305(2). The
2644 certification of an employee organization that does not comply
2645 with this paragraph is revoked.

2646 Section 29. Section 1012.315, Florida Statutes, is amended
2647 to read:

2648 1012.315 Disqualification from employment.—A person is
2649 ineligible for educator certification, and instructional
2650 personnel and school administrators, as defined in s. 1012.01,



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2651 are ineligible for employment in any position that requires
2652 direct contact with students in a district school system,
2653 charter school, or private school that accepts scholarship
2654 students under s. 1002.385, s. 1002.39, ~~or~~ s. 1002.395, or
2655 another state scholarship program under chapter 1002, if the
2656 person, instructional personnel, or school administrator has
2657 been convicted of:

2658 (1) Any felony offense prohibited under any of the
2659 following statutes:

2660 (a) Section 393.135, relating to sexual misconduct with
2661 certain developmentally disabled clients and reporting of such
2662 sexual misconduct.

2663 (b) Section 394.4593, relating to sexual misconduct with
2664 certain mental health patients and reporting of such sexual
2665 misconduct.

2666 (c) Section 415.111, relating to adult abuse, neglect, or
2667 exploitation of aged persons or disabled adults.

2668 (d) Section 782.04, relating to murder.

2669 (e) Section 782.07, relating to manslaughter, aggravated
2670 manslaughter of an elderly person or disabled adult, aggravated
2671 manslaughter of a child, or aggravated manslaughter of an
2672 officer, a firefighter, an emergency medical technician, or a
2673 paramedic.

2674 (f) Section 784.021, relating to aggravated assault.

2675 (g) Section 784.045, relating to aggravated battery.

2676 (h) Section 784.075, relating to battery on a detention or
2677 commitment facility staff member or a juvenile probation
2678 officer.

2679 (i) Section 787.01, relating to kidnapping.



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- 2680 (j) Section 787.02, relating to false imprisonment.
- 2681 (k) Section 787.025, relating to luring or enticing a
2682 child.
- 2683 (l) Section 787.04(2), relating to leading, taking,
2684 enticing, or removing a minor beyond the state limits, or
2685 concealing the location of a minor, with criminal intent pending
2686 custody proceedings.
- 2687 (m) Section 787.04(3), relating to leading, taking,
2688 enticing, or removing a minor beyond the state limits, or
2689 concealing the location of a minor, with criminal intent pending
2690 dependency proceedings or proceedings concerning alleged abuse
2691 or neglect of a minor.
- 2692 (n) Section 790.115(1), relating to exhibiting firearms or
2693 weapons at a school-sponsored event, on school property, or
2694 within 1,000 feet of a school.
- 2695 (o) Section 790.115(2)(b), relating to possessing an
2696 electric weapon or device, destructive device, or other weapon
2697 at a school-sponsored event or on school property.
- 2698 (p) Section 794.011, relating to sexual battery.
- 2699 (q) Former s. 794.041, relating to sexual activity with or
2700 solicitation of a child by a person in familial or custodial
2701 authority.
- 2702 (r) Section 794.05, relating to unlawful sexual activity
2703 with certain minors.
- 2704 (s) Section 794.08, relating to female genital mutilation.
- 2705 (t) Chapter 796, relating to prostitution.
- 2706 (u) Chapter 800, relating to lewdness and indecent
2707 exposure.
- 2708 (v) Section 806.01, relating to arson.



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- 2709 (w) Section 810.14, relating to voyeurism.
- 2710 (x) Section 810.145, relating to video voyeurism.
- 2711 (y) Section 812.014(6), relating to coordinating the
- 2712 commission of theft in excess of \$3,000.
- 2713 (z) Section 812.0145, relating to theft from persons 65
- 2714 years of age or older.
- 2715 (aa) Section 812.019, relating to dealing in stolen
- 2716 property.
- 2717 (bb) Section 812.13, relating to robbery.
- 2718 (cc) Section 812.131, relating to robbery by sudden
- 2719 snatching.
- 2720 (dd) Section 812.133, relating to carjacking.
- 2721 (ee) Section 812.135, relating to home-invasion robbery.
- 2722 (ff) Section 817.563, relating to fraudulent sale of
- 2723 controlled substances.
- 2724 (gg) Section 825.102, relating to abuse, aggravated abuse,
- 2725 or neglect of an elderly person or disabled adult.
- 2726 (hh) Section 825.103, relating to exploitation of an
- 2727 elderly person or disabled adult.
- 2728 (ii) Section 825.1025, relating to lewd or lascivious
- 2729 offenses committed upon or in the presence of an elderly person
- 2730 or disabled person.
- 2731 (jj) Section 826.04, relating to incest.
- 2732 (kk) Section 827.03, relating to child abuse, aggravated
- 2733 child abuse, or neglect of a child.
- 2734 (ll) Section 827.04, relating to contributing to the
- 2735 delinquency or dependency of a child.
- 2736 (mm) Section 827.071, relating to sexual performance by a
- 2737 child.



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2738 (nn) Section 843.01, relating to resisting arrest with
2739 violence.

2740 (oo) Chapter 847, relating to obscenity.

2741 (pp) Section 874.05, relating to causing, encouraging,
2742 soliciting, or recruiting another to join a criminal street
2743 gang.

2744 (qq) Chapter 893, relating to drug abuse prevention and
2745 control, if the offense was a felony of the second degree or
2746 greater severity.

2747 (rr) Section 916.1075, relating to sexual misconduct with
2748 certain forensic clients and reporting of such sexual
2749 misconduct.

2750 (ss) Section 944.47, relating to introduction, removal, or
2751 possession of contraband at a correctional facility.

2752 (tt) Section 985.701, relating to sexual misconduct in
2753 juvenile justice programs.

2754 (uu) Section 985.711, relating to introduction, removal, or
2755 possession of contraband at a juvenile detention facility or
2756 commitment program.

2757 (2) Any misdemeanor offense prohibited under any of the
2758 following statutes:

2759 (a) Section 784.03, relating to battery, if the victim of
2760 the offense was a minor.

2761 (b) Section 787.025, relating to luring or enticing a
2762 child.

2763 (3) Any criminal act committed in another state or under
2764 federal law which, if committed in this state, constitutes an
2765 offense prohibited under any statute listed in subsection (1) or
2766 subsection (2).



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2767 (4) Any delinquent act committed in this state or any
2768 delinquent or criminal act committed in another state or under
2769 federal law which, if committed in this state, qualifies an
2770 individual for inclusion on the Registered Juvenile Sex Offender
2771 List under s. 943.0435(1)(h)1.d.

2772 Section 30. Paragraph (c) of subsection (3) of section
2773 1012.731, Florida Statutes, is amended to read:

2774 1012.731 The Florida Best and Brightest Teacher Scholarship
2775 Program.—

2776 (3)

2777 ~~(c) Notwithstanding the requirements of this subsection,~~
2778 ~~for the 2017-2018, 2018-2019, and 2019-2020 school years, any~~
2779 ~~classroom teacher who:~~

2780 ~~1. Was evaluated as highly effective pursuant to s. 1012.34~~
2781 ~~in the school year immediately preceding the year in which the~~
2782 ~~scholarship will be awarded shall receive a scholarship of~~
2783 ~~\$1200, including a classroom teacher who received an award~~
2784 ~~pursuant to paragraph (a).~~

2785 ~~2. Was evaluated as effective pursuant to s. 1012.34 in the~~
2786 ~~school year immediately preceding the year in which the~~
2787 ~~scholarship will be awarded a scholarship of up to \$800. If the~~
2788 ~~number of eligible classroom teachers under this subparagraph~~
2789 ~~exceeds the total allocation, the department shall prorate the~~
2790 ~~per-teacher scholarship amount.~~

2791
2792 ~~This paragraph expires July 1, 2020.~~

2793 Section 31. Subsections (2), (3), and (4) of section
2794 1012.732, Florida Statutes, are amended to read:

2795 1012.732 The Florida Best and Brightest Principal



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2796 Scholarship Program.—

2797 (2) There is created the Florida Best and Brightest
2798 Principal Scholarship Program to be administered by the
2799 Department of Education. The program shall provide categorical
2800 funding for scholarships to be awarded to school principals, as
2801 defined in s. 1012.01(3)(c)1., who are serving as a franchise
2802 model school principal or who have recruited and retained a high
2803 percentage of best and brightest teachers.

2804 (3)(a) A school principal identified pursuant to s.
2805 1012.731(4)(c) is eligible to receive a scholarship under this
2806 section if he or she has served as school principal at his or
2807 her school for at least 2 consecutive school years including the
2808 current school year and his or her school has a ratio of best
2809 and brightest teachers to other classroom teachers that is at
2810 the 80th percentile or higher for schools within the same grade
2811 group, statewide, including elementary schools, middle schools,
2812 high schools, and schools with a combination of grade levels.

2813 (b) A principal of a franchise model school, as defined in
2814 s. 1002.334, is eligible to receive a scholarship under this
2815 section.

2816 (4) Annually, by February 1, the department shall identify
2817 eligible school principals and disburse funds to each school
2818 district for each eligible school principal to receive a
2819 scholarship.

2820 (a) A scholarship of \$10,000 ~~\$5,000~~ must be awarded to each
2821 franchise model school principal who is every eligible under
2822 paragraph (3)(b).

2823 (b) A scholarship of \$5,000 must be awarded to each school
2824 principal assigned to a Title I school and a scholarship of



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2825 \$4,000 to each every eligible school principal who is not
2826 assigned to a Title I school and who is eligible under paragraph
2827 (3) (a).

2828 Section 32. Paragraph (e) of subsection (1) of section
2829 1012.796, Florida Statutes, is amended to read:

2830 1012.796 Complaints against teachers and administrators;
2831 procedure; penalties.-

2832 (1)

2833 (e) If allegations arise against an employee who is
2834 certified under s. 1012.56 and employed in an educator-
2835 certificated position in any public school, charter school or
2836 governing board thereof, or private school that accepts
2837 scholarship students under s. 1002.385, s. 1002.39, ~~or~~ s.
2838 1002.395, or another state scholarship program under chapter
2839 1002, the school shall file in writing with the department a
2840 legally sufficient complaint within 30 days after the date on
2841 which the subject matter of the complaint came to the attention
2842 of the school. A complaint is legally sufficient if it contains
2843 ultimate facts that show a violation has occurred as provided in
2844 s. 1012.795 and defined by rule of the State Board of Education.
2845 The school shall include all known information relating to the
2846 complaint with the filing of the complaint. This paragraph does
2847 not limit or restrict the power and duty of the department to
2848 investigate complaints, regardless of the school's untimely
2849 filing, or failure to file, complaints and followup reports.

2850 Section 33. Present paragraphs (a) through (d) of
2851 subsection (1) of section 1013.31, Florida Statutes, are
2852 redesignated as paragraphs (b) through (e), respectively, and a
2853 new paragraph (a) is added to that subsection, to read:



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2854 1013.31 Educational plant survey; localized need
2855 assessment; PECO project funding.—

2856 (1) At least every 5 years, each board shall arrange for an
2857 educational plant survey, to aid in formulating plans for
2858 housing the educational program and student population, faculty,
2859 administrators, staff, and auxiliary and ancillary services of
2860 the district or campus, including consideration of the local
2861 comprehensive plan. The Department of Education shall document
2862 the need for additional career and adult education programs and
2863 the continuation of existing programs before facility
2864 construction or renovation related to career or adult education
2865 may be included in the educational plant survey of a school
2866 district or Florida College System institution that delivers
2867 career or adult education programs. Information used by the
2868 Department of Education to establish facility needs must
2869 include, but need not be limited to, labor market data, needs
2870 analysis, and information submitted by the school district or
2871 Florida College System institution.

2872 (a) Educational plant survey and localized need assessment
2873 for capital outlay purposes.—A district may only use funds from
2874 the following sources for educational, auxiliary, and ancillary
2875 plant capital outlay purposes without needing a survey
2876 recommendation:

2877 1. The local capital outlay improvement fund, consisting of
2878 funds that come from and are a part of the district's basic
2879 operating budget;

2880 2. If a board decides to build an educational, auxiliary,
2881 or ancillary facility without a survey recommendation and the
2882 taxpayers approve a bond referendum, the voted bond referendum;



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2883 3. One-half cent sales surtax revenue;
2884 4. One cent local governmental surtax revenue;
2885 5. Impact fees; and
2886 6. Private gifts or donations.
2887 Section 34. Paragraph (e) is added to subsection (2) of
2888 section 1013.385, Florida Statutes, to read:
2889 1013.385 School district construction flexibility.—
2890 (2) A resolution adopted under this section may propose
2891 implementation of exceptions to requirements of the uniform
2892 statewide building code for the planning and construction of
2893 public educational and ancillary plants adopted pursuant to ss.
2894 553.73 and 1013.37 relating to:
2895 (e) Any other provisions that limit the ability of a school
2896 to operate in a facility on the same basis as a charter school
2897 pursuant to s. 1002.33(18) if the regional planning council
2898 determines that there is sufficient shelter capacity within the
2899 school district as documented in the Statewide Emergency Shelter
2900 Plan.
2901 Section 35. Subsection (3) of section 1013.62, Florida
2902 Statutes, is amended, and paragraph (c) is added to subsection
2903 (1) of that section, to read:
2904 1013.62 Charter schools capital outlay funding.—
2905 (1) Charter school capital outlay funding shall consist of
2906 revenue resulting from the discretionary millage authorized in
2907 s. 1011.71(2) and state funds when such funds are appropriated
2908 in the General Appropriations Act.
2909 (c) It is the intent of the Legislature that the public
2910 interest be protected by prohibiting personal financial
2911 enrichment by owners, operators, managers, real estate



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2912 developers, and other affiliated parties of charter schools.
2913 Therefore, a charter school is not eligible for a funding
2914 allocation unless the chair of the governing board and the chief
2915 administrative officer of the charter school annually certify
2916 under oath that the funds will be used solely and exclusively
2917 for constructing, renovating, or improving charter school
2918 facilities that are:

2919 1. Owned by a school district, a political subdivision of
2920 the state, a municipality, a Florida College System institution,
2921 or a state university;

2922 2. Owned by an organization that is qualified as an exempt
2923 organization under s. 501(c)(3) of the Internal Revenue Code
2924 whose articles of incorporation specify that, upon the
2925 organization's dissolution, the subject property will be
2926 transferred to a school district, a political subdivision of the
2927 state, a municipality, a Florida College System institution, or
2928 a state university; or

2929 3. Owned by and leased, at a fair market value in the
2930 school district in which the charter school is located, from a
2931 person or entity that is not an affiliated party of the charter
2932 school. For the purposes of this subparagraph, the term
2933 "affiliated party of the charter school" means the applicant for
2934 the charter school pursuant to s. 1002.33; the governing board
2935 of the charter school or a member of the governing board; the
2936 charter school owner; the charter school principal; an employee
2937 of the charter school; an independent contractor of the charter
2938 school or the governing board of the charter school; a relative,
2939 as defined in s. 1002.33(24)(a)2., of a charter school governing
2940 board member, a charter school owner, a charter school



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2941 principal, a charter school employee, or an independent
2942 contractor of a charter school or charter school governing
2943 board; a subsidiary corporation, a service corporation, an
2944 affiliated corporation, a parent corporation, a limited
2945 liability company, a limited partnership, a trust, a
2946 partnership, or a related party that, individually or through
2947 one or more entities, shares common ownership or control and
2948 directly or indirectly manages, administers, controls, or
2949 oversees the operation of the charter school; or any person or
2950 entity, individually or through one or more entities that share
2951 common ownership, which directly or indirectly manages,
2952 administers, controls, or oversees the operation of any of the
2953 foregoing.

2954 (3) If the school board levies the discretionary millage
2955 authorized in s. 1011.71(2), the department shall use the
2956 following calculation methodology to determine the amount of
2957 revenue that a school district must distribute to each eligible
2958 charter school:

2959 (a) Reduce the total discretionary millage revenue by the
2960 school district's annual debt service obligation incurred as of
2961 March 1, 2017, and any amount of participation requirement
2962 pursuant to s. 1013.64(2)(a)8. that is being satisfied by
2963 revenues raised by the discretionary millage.

2964 (b) Divide the school district's adjusted discretionary
2965 millage revenue by the district's total capital outlay full-time
2966 equivalent membership and the total number of unweighted full-
2967 time equivalent students of each eligible charter school to
2968 determine a capital outlay allocation per full-time equivalent
2969 student.



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2970 (c) Multiply the capital outlay allocation per full-time
2971 equivalent student by the total number of full-time equivalent
2972 students for all of each eligible charter schools within the
2973 district school to determine the total charter school capital
2974 outlay allocation for each district charter school.

2975 (d) If applicable, reduce the capital outlay allocation
2976 identified in paragraph (c) by the total amount of state funds
2977 allocated pursuant to subsection (2) to all each eligible
2978 charter schools within a district school in subsection (2) to
2979 determine the net total maximum calculated capital outlay
2980 allocation from local funds. If state funds are not allocated
2981 pursuant to subsection (2), the amount determined in paragraph
2982 (c) is equal to the net total calculated capital outlay
2983 allocation from local funds for each district.

2984 (e) For each charter school within each district, the net
2985 capital outlay amount from local funds shall be calculated in
2986 the same manner as the state funds in paragraphs (2) (a)-(d),
2987 except that the base charter school per weighted FTE allocation
2988 amount shall be determined by dividing the net total capital
2989 outlay amount from local funds by the total weighted FTE for all
2990 eligible charter schools within the district. The per weighted
2991 FTE allocation amount from local funds shall be multiplied by
2992 the weighted FTE for each charter school to determine each
2993 charter school's capital outlay allocation from local funds.

2994 (f) ~~(e)~~ School districts shall distribute capital outlay
2995 funds to charter schools no later than February 1 of each year,
2996 ~~beginning on February 1, 2018, for the 2017-2018 fiscal year.~~

2997 Section 36. Effective July 1, 2019, subsection (13) of
2998 section 212.08, Florida Statutes, is amended to read:



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2999 212.08 Sales, rental, use, consumption, distribution, and
3000 storage tax; specified exemptions.—The sale at retail, the
3001 rental, the use, the consumption, the distribution, and the
3002 storage to be used or consumed in this state of the following
3003 are hereby specifically exempt from the tax imposed by this
3004 chapter.

3005 (13) No transactions shall be exempt from the tax imposed
3006 by this chapter except those expressly exempted herein. All laws
3007 granting tax exemptions, to the extent they may be inconsistent
3008 or in conflict with this chapter, including, but not limited to,
3009 the following designated laws, shall yield to and be superseded
3010 by the provisions of this subsection: ss. 125.019, 153.76,
3011 154.2331, 159.15, 159.31, 159.50, 159.708, 163.385, 163.395,
3012 215.76, 243.33, 315.11, 348.65, 348.762, 349.13, 403.1834, and
3013 616.07, and 623.09, and the following Laws of Florida, acts of
3014 the year indicated: s. 31, chapter 30843, 1955; s. 19, chapter
3015 30845, 1955; s. 12, chapter 30927, 1955; s. 8, chapter 31179,
3016 1955; s. 15, chapter 31263, 1955; s. 13, chapter 31343, 1955; s.
3017 16, chapter 59-1653; s. 13, chapter 59-1356; s. 12, chapter 61-
3018 2261; s. 19, chapter 61-2754; s. 10, chapter 61-2686; s. 11,
3019 chapter 63-1643; s. 11, chapter 65-1274; s. 16, chapter 67-1446;
3020 and s. 10, chapter 67-1681. This subsection does not supersede
3021 the authority of a local government to adopt financial and local
3022 government incentives pursuant to s. 163.2517.

3023 Section 37. For the 2018-2019 fiscal year, the sum of
3024 \$2,596,560 in recurring funds from the General Revenue Fund and
3025 the sum of \$392,134 in nonrecurring funds from the General
3026 Revenue Fund are appropriated to the Department of Education to
3027 implement this act as follows: the sum of \$2 million in



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3028 recurring funds shall be used to implement the Hope Scholarship
3029 Program created pursuant to s. 1002.40, Florida Statutes, the
3030 sum of \$596,560 in recurring funds and \$142,134 in nonrecurring
3031 funds shall be used to implement the additional oversight
3032 requirements pursuant to s. 1002.421, Florida Statutes, and the
3033 sum of \$250,000 in nonrecurring funds shall be used to issue a
3034 competitive grant award pursuant to s. 1002.395(9), Florida
3035 Statutes.

3036 Section 38. The Department of Revenue may, and all
3037 conditions are deemed met to, adopt emergency rules pursuant to
3038 ss. 120.536(1) and 120.54, Florida Statutes, to administer this
3039 act.

3040 Section 39. Except as otherwise expressly provided in this
3041 act, this act shall take effect July 1, 2018

3042
3043 ===== T I T L E A M E N D M E N T =====

3044 And the title is amended as follows:

3045 Delete everything before the enacting clause
3046 and insert:

3047 A bill to be entitled
3048 An act relating to education; creating s. 212.1832,
3049 F.S.; authorizing certain persons to receive a tax
3050 credit for certain contributions to eligible nonprofit
3051 scholarship-funding organizations for the Hope
3052 Scholarship Program; providing requirements for motor
3053 vehicle dealers; requiring the Department of Revenue
3054 to disregard certain tax credits for specified
3055 purposes; providing that specified provisions apply to
3056 certain provisions; amending s. 213.053, F.S.;



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3057 authorizing the Department of Revenue to share
3058 specified information with eligible nonprofit
3059 scholarship-funding organizations; providing that
3060 certain requirements apply to such organizations;
3061 repealing ch. 623, F.S., relating to private school
3062 corporations, on a specified date; amending s.
3063 1001.10, F.S.; revising the private schools to which
3064 the Department of Education is required to provide
3065 technical assistance and authorized staff; amending s.
3066 1001.4205, F.S.; authorizing a member of the State
3067 Legislature to visit any district school, including
3068 any charter school, in his or her legislative
3069 district; amending s. 1002.01, F.S.; revising and
3070 defining terms; amending s. 1002.20; updating
3071 educational options and terminology; amending s.
3072 1002.33, F.S.; extending the period of time for which
3073 a charter school may defer its opening for specified
3074 reasons; amending s. 1002.331, F.S.; revising the
3075 requirements for a charter school to be considered a
3076 high-performing charter school; amending s. 1002.333,
3077 F.S.; redefining the terms "persistently low-
3078 performing school" and "school of hope"; revising the
3079 required contents of a school of hope notice of intent
3080 and performance-based agreement; revising school of
3081 hope facility requirements; specifying that certain
3082 schools of hope are eligible to receive hope
3083 supplemental service allocation funds; requiring the
3084 State Board of Education to provide awards to all
3085 eligible schools that meet certain requirements;



3086 prohibiting a school of hope operator or owner from
3087 serving as the principal of a school of hope that he
3088 or she manages; conforming cross-references; creating
3089 s. 1002.334, F.S.; defining the term "franchise model
3090 school"; authorizing specified schools to use a
3091 franchise model school as a turnaround option;
3092 specifying requirements for a franchise model school
3093 principal; amending s. 1002.385, F.S.; revising the
3094 meaning of a rare disease within the definition of a
3095 "disability" for purposes of the Gardiner Scholarship
3096 Program; revising requirements for private schools
3097 that participate in the program; specifying that the
3098 failure or refusal, rather than the inability of, a
3099 private school to meet certain requirements
3100 constitutes a basis for program ineligibility;
3101 conforming cross-references; amending s. 1002.39,
3102 F.S.; revising the purpose of department site visits
3103 at private schools participating in the John M. McKay
3104 Scholarships for Students with Disabilities Program;
3105 authorizing the department to make followup site
3106 visits at any time to certain private schools;
3107 requiring participating private schools to provide a
3108 specified report from an independent certified public
3109 accountant under certain circumstances; specifying
3110 that the failure or refusal, rather than the inability
3111 of, a private school to meet certain requirements
3112 constitutes a basis for program ineligibility;
3113 conforming provisions to changes made by the act;
3114 amending s. 1002.395, F.S.; revising obligations of



3115 eligible nonprofit scholarship-funding organizations
3116 participating in the Florida Tax Credit Scholarship
3117 Program; specifying that the failure or refusal,
3118 rather than the inability of, a private school to meet
3119 certain requirements constitutes a basis for program
3120 ineligibility; revising the purpose of department site
3121 visits at private schools participating in the Florida
3122 Tax Credit Scholarship Program; authorizing the
3123 department to make followup site visits at any time to
3124 certain private schools; conforming provisions to
3125 changes made by the act; creating s. 1002.40, F.S.;
3126 establishing the Hope Scholarship Program; providing
3127 the purpose of the program; defining terms; providing
3128 eligibility requirements; prohibiting the payment of a
3129 scholarship under certain circumstances; requiring a
3130 principal to provide copies of a report of physical
3131 violence or emotional abuse to certain individuals
3132 within specified timeframes; requiring the principal
3133 to investigate such incidents; requiring a school
3134 district to notify an eligible student's parent of the
3135 program under certain circumstances; requiring a
3136 school district to provide certain information
3137 relating to the statewide assessment program;
3138 providing requirements and obligations for eligible
3139 private schools; providing Department of Education
3140 obligations relating to participating students and
3141 private schools and program requirements; providing
3142 Commissioner of Education obligations; requiring the
3143 commissioner to deny, suspend, or revoke a private



3144 school's participation in the program or the payment
3145 of scholarship funds under certain circumstances;
3146 defining the term "owner or operator"; providing a
3147 process for review of a decision from the commissioner
3148 under certain circumstances; providing for the release
3149 of personally identifiable student information under
3150 certain circumstances; providing parent and student
3151 responsibilities for initial and continued
3152 participation in the program; providing nonprofit
3153 scholarship-funding organization obligations;
3154 providing for the calculation of the scholarship
3155 amount; providing the scholarship amount for students
3156 transferred to certain public schools; requiring
3157 verification of specified information before a
3158 scholarship may be disbursed; providing requirements
3159 for the scholarship payments; providing funds for
3160 administrative expenses for certain nonprofit
3161 scholarship-funding organizations; providing
3162 requirements for administrative expenses; prohibiting
3163 a nonprofit scholarship-funding organization from
3164 charging an application fee; providing Auditor General
3165 obligations; providing requirements for taxpayer
3166 elections to contribute to the program; requiring the
3167 Department of Revenue to adopt forms to administer the
3168 program; providing requirements for certain agents of
3169 the Department of Revenue and motor vehicle dealers;
3170 providing reporting requirements for nonprofit
3171 scholarship-funding organizations relating to taxpayer
3172 contributions; providing penalties; providing for the



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3173 restitution of specified funds under certain
3174 circumstances; providing the state is not liable for
3175 the award or use of program funds; prohibiting
3176 additional regulations for private schools
3177 participating in the program beyond those necessary to
3178 enforce program requirements; requiring the State
3179 Board of Education to adopt rules to administer the
3180 program; amending s. 1002.421, F.S.; defining the term
3181 "owner or operator"; requiring a private school to
3182 employ or contract with teachers who meet certain
3183 qualifications and provide information about such
3184 qualifications to the department and parents; revising
3185 the conditions under which a private school employee
3186 may be exempted from background screening
3187 requirements; specifying that a private school is
3188 ineligible to participate in certain scholarship
3189 programs under certain circumstances; requiring the
3190 department to annually visit a certain percentage of
3191 certain private schools; authorizing the department to
3192 make certain followup site visits at any time;
3193 requiring the Division of State Fire Marshal to
3194 annually provide the department with fire safety
3195 inspection reports for certain private schools;
3196 requiring that certain private schools provide the
3197 department with a report from an independent certified
3198 public accountant under certain circumstances;
3199 repealing s. 1002.43, F.S., relating to private
3200 tutoring programs; amending s. 1003.01, F.S.;
3201 redefining the term "regular school attendance";



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3202 amending s. 1003.26, F.S.; conforming a cross-
3203 reference; amending s. 1003.41, F.S.; revising the
3204 requirements for the Next Generation Sunshine State
3205 Standards to include financial literacy; amending s.
3206 1003.4282, F.S.; revising the required credits for a
3207 standard high school diploma to include one-half
3208 credit of instruction in personal financial literacy
3209 and money management and seven and one-half, rather
3210 than eight, credits in electives; amending s.
3211 1006.061, F.S.; revising the applicability of certain
3212 child abuse, abandonment, and neglect provisions;
3213 amending s. 1007.273, F.S.; defining the term
3214 "structured program"; providing additional options for
3215 students participating in a structured program;
3216 prohibiting a district school board from limiting the
3217 number of public school students who may participate
3218 in a structured program; revising contract
3219 requirements; requiring each district school board to
3220 annually notify students in certain grades of certain
3221 information about the structured program, by a
3222 specified date; revising provisions relating to
3223 funding; requiring the state board to enforce
3224 compliance with certain provisions by a specified date
3225 each year; providing reporting requirements; amending
3226 s. 1008.33, F.S.; revising the turnaround options
3227 available for certain schools; amending s. 1011.62,
3228 F.S.; creating the hope supplemental services
3229 allocation; providing the purpose of the allocation;
3230 specifying the services that may be funded by the



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3231 allocation; providing that implementation plans may
3232 include certain models; providing requirements for
3233 implementation plans; providing for the allocation of
3234 funds in specified fiscal years; creating the mental
3235 health assistance allocation; providing the purpose of
3236 the allocation; providing for the annual allocation of
3237 such funds on a specified basis; prohibiting the use
3238 of allocated funds to supplant funds provided from
3239 other operating funds, to increase salaries, or to
3240 provide bonuses; providing requirements for school
3241 districts and charter schools; providing that required
3242 plans must include certain elements; requiring school
3243 districts to annually submit approved plans to the
3244 Commissioner of Education by a specified date;
3245 requiring that entities that receive such allocations
3246 annually submit a final report on program outcomes and
3247 specific expenditures to the commissioner by a
3248 specified date; creating the funding compression
3249 allocation; providing the purpose of the allocation;
3250 authorizing funding for the annual allocation;
3251 providing the calculation for the allocation; amending
3252 s. 1011.69, F.S.; authorizing certain high schools to
3253 receive Title I funds; providing that a school
3254 district may withhold Title I funds for specified
3255 purposes; authorizing certain schools to use Title I
3256 funds for specified purposes; amending s. 1011.71,
3257 F.S.; increasing the amount that a school district may
3258 expend from a specified millage levy for certain
3259 expenses; amending s. 1012.2315, F.S.; requiring



3260 certain employee organizations to include specified
3261 information in a specified application and to petition
3262 for recertification for specified purposes; amending
3263 s. 1012.315, F.S.; revising the applicability of
3264 certain provisions related to disqualification from
3265 employment for the conviction of specified offenses;
3266 amending s. 1012.731, F.S.; deleting Florida Best and
3267 Brightest Teacher Scholarship Program scholarship
3268 awards authorized for specific school years; amending
3269 s. 1012.732, F.S.; specifying that a franchise model
3270 school principal is eligible to receive a Florida Best
3271 and Brightest Principal scholarship; requiring
3272 specified awards for eligible principals; amending s.
3273 1012.796, F.S.; revising the applicability of a
3274 requirement that certain private schools file
3275 specified reports with the department for certain
3276 allegations against its employees; amending s.
3277 1013.31, F.S.; authorizing a district to use certain
3278 sources of funds for educational, auxiliary, and
3279 ancillary plant capital outlay purposes without
3280 needing a survey recommendation; amending s. 1013.385,
3281 F.S.; providing additional exceptions to certain
3282 building code regulations for school districts;
3283 amending s. 1013.62, F.S.; providing legislative
3284 intent; prohibiting a charter school from being
3285 eligible for capital outlay funds unless the chair of
3286 the governing board and the chief administrative
3287 officer of the charter school annually certify certain
3288 information; defining the term "affiliated party of



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3289 the charter school"; revising the Department of
3290 Education's calculation methodology for a school
3291 district's distribution of discretionary millage to
3292 its eligible charter schools; amending s. 212.08,
3293 F.S.; conforming a cross-reference; providing
3294 appropriations; providing appropriations; authorizing
3295 the Department of Revenue to adopt emergency rules for
3296 specified purposes; providing effective dates.