

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Smith, C. offered the following:

Amendment (with title amendment)

Between lines 745 and 746, insert:

Section 6. Paragraph (r) is added to subsection (1) of section 1002.421, Florida Statutes, to read:

1002.421 State school choice scholarship program accountability and oversight.—

(1) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—A private school participating in an educational scholarship program established pursuant to this chapter must be a private school as defined in s. 1002.01(2) in this state, be registered, and be in compliance with all requirements of this section in addition to

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14 private school requirements outlined in s. 1002.42, specific
15 requirements identified within respective scholarship program
16 laws, and other provisions of Florida law that apply to private
17 schools, and must:

18 (r) Establish a written nondiscrimination policy for
19 student enrollment and admissions that prohibits discrimination
20 based on a student's or his or her parent's sexual orientation,
21 gender identity, gender, race, ethnicity, national origin,
22 religion, or protective hairstyle. For purposes of this
23 paragraph, the term:

24 1. "Protective hairstyle" includes, but is not limited to,
25 hairstyles such as braids, locks, or twists.

26 2. "Race" is inclusive of traits historically associated
27 with race, including, but not limited to, hair texture, hair
28 type, and protective hairstyles.

29
30 This paragraph does not limit the free exercise of religion
31 guaranteed by the United States Constitution and the State
32 Constitution.

33
34 The department shall suspend the payment of funds to a private
35 school that knowingly fails to comply with this subsection, and
36 shall prohibit the school from enrolling new scholarship
37 students, for 1 fiscal year and until the school complies. If a
38 private school fails to meet the requirements of this subsection

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39 or has consecutive years of material exceptions listed in the
40 report required under paragraph (q), the commissioner may
41 determine that the private school is ineligible to participate
42 in a scholarship program.

43 Section 7. Paragraph (b) of subsection (17) of section
44 1002.33, Florida Statutes, is amended, and paragraph (j) is
45 added to subsection (10) of that section, to read:

46 1002.33 Charter schools.—

47 (10) ELIGIBLE STUDENTS.—

48 (j) A charter school must establish a written
49 nondiscrimination policy for student enrollment and admissions
50 that prohibits discrimination based on a student's or his or her
51 parent's sexual orientation, gender identity, gender, race,
52 ethnicity, national origin, religion, or protective hairstyle.
53 For purposes of this paragraph, the term:

54 1. "Protective hairstyle" includes, but is not limited to,
55 hairstyles such as braids, locks, or twists.

56 2. "Race" is inclusive of traits historically associated
57 with race, including, but not limited to, hair texture, hair
58 type, and protective hairstyles.

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63 (17) FUNDING.—Students enrolled in a charter school,
64 regardless of the sponsorship, shall be funded as if they are in
65 a basic program or a special program, the same as students
66 enrolled in other public schools in the school district. Funding
67 for a charter lab school shall be as provided in s. 1002.32.

68 (b) The basis for the agreement for funding students
69 enrolled in a charter school shall be the sum of the school
70 district's operating funds from the Florida Education Finance
71 Program as provided in s. 1011.62 and the General Appropriations
72 Act, including gross state and local funds, discretionary
73 lottery funds, and funds from the school district's current
74 operating discretionary millage levy; divided by total funded
75 weighted full-time equivalent students in the school district;
76 multiplied by the weighted full-time equivalent students for the
77 charter school. Charter schools whose students or programs meet
78 the eligibility criteria in law are entitled to their
79 proportionate share of categorical program funds included in the
80 total funds available in the Florida Education Finance Program
81 by the Legislature, including transportation, and the research-
82 based reading allocation, ~~and the Florida digital classrooms~~
83 ~~allocation~~. Total funding for each charter school shall be
84 recalculated during the year to reflect the revised calculations
85 under the Florida Education Finance Program by the state and the
86 actual weighted full-time equivalent students reported by the
87 charter school during the full-time equivalent student survey

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88 periods designated by the Commissioner of Education. For charter
89 schools operated by a not-for-profit or municipal entity, any
90 unrestricted current and capital assets identified in the
91 charter school's annual financial audit may be used for other
92 charter schools operated by the not-for-profit or municipal
93 entity within the school district. Unrestricted current assets
94 shall be used in accordance with s. 1011.62, and any
95 unrestricted capital assets shall be used in accordance with s.
96 1013.62(2).

97 Section 8. Paragraph (k) is added to subsection (1) of
98 section 1003.02, Florida Statutes, to read:

99 1003.02 District school board operation and control of
100 public K-12 education within the school district.—As provided in
101 part II of chapter 1001, district school boards are
102 constitutionally and statutorily charged with the operation and
103 control of public K-12 education within their school district.
104 The district school boards must establish, organize, and operate
105 their public K-12 schools and educational programs, employees,
106 and facilities. Their responsibilities include staff
107 development, public K-12 school student education including
108 education for exceptional students and students in juvenile
109 justice programs, special programs, adult education programs,
110 and career education programs. Additionally, district school
111 boards must:

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112 (1) Provide for the proper accounting for all students of
113 school age, for the attendance and control of students at
114 school, and for proper attention to health, safety, and other
115 matters relating to the welfare of students in the following
116 areas:

117 (k) Nondiscrimination policy.—Establish a written
118 nondiscrimination policy for student enrollment and admissions
119 that prohibits discrimination based on a student's or his or her
120 parent's sexual orientation, gender identity, gender, race,
121 ethnicity, national origin, religion, or protective hairstyle.
122 For purposes of this paragraph, the term:

123 1. "Protective hairstyle" includes, but is not limited to,
124 hairstyles such as braids, locks, or twists.

125 2. "Race" is inclusive of traits historically associated
126 with race, including, but not limited to, hair texture, hair
127 type, and protective hairstyles.

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129 This paragraph does not limit the free exercise of religion
130 guaranteed by the United States Constitution and the State
131 Constitution.

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134 **T I T L E A M E N D M E N T**

135 Between lines 44 and 45, insert:

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136 amending 1002.421, F.S.; requiring certain private
137 schools to establish a specified nondiscrimination
138 policy; providing definitions; providing
139 applicability; amending s. 1002.33, F.S.; requiring
140 charter schools to establish a specified
141 nondiscrimination policy; providing definitions;
142 providing applicability; conforming a provision to
143 changes made by the act; amending s. 1003.02, F.S.;
144 requiring district school boards to establish a
145 specified nondiscrimination policy; providing
146 definitions; providing applicability;

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