

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative McClain offered the following:

2
3 **Substitute Amendment for Amendment (009815) (with title**
4 **amendment)**

5 Remove lines 190-211 and insert:
6 parent may:

7 (I) Request the Commissioner of Education to appoint a
8 special magistrate who is a member of The Florida Bar in good
9 standing and who has at least 5 years' experience in
10 administrative law. The special magistrate shall determine facts
11 relating to the dispute over the school district procedure or
12 practice, consider information provided by the school district,
13 and render a recommended decision for resolution to the State

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14 Board of Education within 30 days after receipt of the request
 15 by the parent. The State Board of Education must approve or
 16 reject the recommended decision at its next regularly scheduled
 17 meeting that is more than 7 calendar days and no more than 30
 18 days after the date the recommended decision is transmitted. The
 19 costs of the special magistrate shall be borne by the school
 20 district. The State Board of Education shall adopt rules,
 21 including forms, necessary to implement this subparagraph.

22 (II) Bring an action against the school district to obtain
 23 a declaratory judgment that the school district procedure or
 24 practice violates this paragraph and seek injunctive relief. A
 25 court ~~may award damages and~~ shall award reasonable attorney fees
 26 and court costs to a parent who receives declaratory or
 27 injunctive relief.

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

31 Remove line 21 and insert:
 32 prohibition applies to charter schools; removing the
 33 authorization for a court to award damages under
 34 certain circumstances; requiring

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