Representative Saunders offered the following:

Amendment

Remove lines 854-1041 and insert:

1. By April 1 for the following school year, submit an application to an eligible nonprofit scholarship-funding organization and, if the student does not already have an active individual educational plan, request an annual educational evaluation from the school district in which the student resides; and

2. Obtain an individual educational plan in accordance with subsection (7).

(b) To maintain eligibility in the Florida Personal Learning Scholarship Account Program, the parent of an eligible
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1. Register the student's participation in the program with the school district in which the student resides and release the school district from all obligations to educate the student.

2. Participate in the initial development of the individual educational plan and the annual review of the plan under subsection (7).

3. Submit eligible expenses to the nonprofit scholarship-funding organization designated by the parent for reimbursement of qualifying expenditures. Reimbursement requests must be supported by documentation of services rendered, such as receipts or invoices, and accompanied by an affidavit signed by the parent certifying his or her compliance with the requirements of this section. Eligible expenses include:
   a. Specialized instructional services by an approved provider.
   b. Tuition and fees for instructional services from an eligible private school under s. 1002.39(8) or s. 1002.395(8).
   c. Private tutoring pursuant to s. 1002.43.
   d. Tuition and fees for enrollment in a virtual education program provided by an approved virtual education provider pursuant to s. 1002.37 or s. 1002.45 or in an approved online course offered pursuant to s. 1003.499 or s. 1004.0961.
   e. Curriculum.
   f. Costs incurred to comply with the annual educational
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evaluation required in this paragraph.

g. The fee authorized by paragraph (5)(a).
h. Services such as applied behavior analysis as defined
in s. 627.6686, speech-language pathology as defined in s.
468.1125, occupational therapy as defined in s. 468.203, and
physical therapy as defined in s. 486.021.
i. An advanced payment contract purchased through the
Stanley G. Tate Florida Prepaid College Program for the benefit
of the eligible student.
4. Maintain a portfolio of records and materials that
consists of:

a. A log of educational instruction and services that is
made contemporaneously with delivery of the instruction and
services and that designates by title any reading materials
used.

b. Samples of writings, worksheets, workbooks, or creative
materials used or developed by the student.

The portfolio must be preserved by the parent for 2 years and
made available for inspection by the district school
superintendent, or his or her designee, upon 15 days' written
notice. This subparagraph does not require the district school
superintendent to inspect the portfolio.

5. Provide for an annual educational evaluation which
documents the student's demonstration of educational progress at
a level commensurate with his or her ability, which may include:
a. Evaluation of the student's work portfolio by a certified teacher selected by the parent;
b. Any nationally normed student achievement test administered by a certified teacher;
c. A statewide, standardized assessment administered by a certified teacher, at a location and under testing conditions approved by the school district;
d. Evaluation by an individual holding a valid, active license pursuant to the provisions of s. 490.003(7) or (8); or
e. Any other valid measurement tool mutually agreed upon by the school superintendent of the district in which the student resides and the student's parent.

(c) The district school superintendent must review and accept the results of the annual educational evaluation of a participating student. If the student does not demonstrate educational progress at a level commensurate with his or her ability, the district school superintendent must notify the parent, in writing, that such progress has not been achieved. If the student remains eligible for a Florida Personal Learning Scholarship Account, the parent has 1 year after the date of receipt of the written notification to provide remedial instruction to the student. At the end of the 1-year probationary period, the student must be reevaluated pursuant to subparagraph (b)5. Continued participation in the Florida Personal Learning Scholarship Account Program is contingent upon the student's demonstrating educational progress commensurate
(d) The parent is responsible for procuring the services necessary to educate the student. Once the student receives a Florida Personal Learning Scholarship Account, the district school board is not obligated to provide the student with a free appropriate public education. For purposes of s. 1003.57 and the Individuals with Disabilities Education Act, a participating student has only those rights that apply to all other unilaterally parentally placed students, except that, when requested by the parent, school district personnel must develop an individual educational plan in accordance with subsection (7).

(e) The parent is responsible for the payment of all eligible expenses in excess of the amount in the Florida Personal Learning Scholarship Account in accordance with the terms agreed to between the parent and the providers and may not receive any refund or rebate of any expenditures made in accordance with subparagraph (b)3.

(f) A student is eligible for only one Florida Personal Learning Scholarship Account and may not receive a scholarship under part III of this chapter.

(5) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS.—A nonprofit scholarship-funding organization participating in the Florida Tax Credit Scholarship Program under s. 1002.395 may establish Florida Personal Learning Scholarship Accounts for eligible students. An eligible
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nonprofit scholarship-funding organization must:

   (a) Receive applications and determine student eligibility in accordance with the requirements of this section. Once an application is approved, the nonprofit scholarship-funding organization must provide the department with information on the student to enable the school district to report the student for funding in accordance with subsection (8). A nonprofit scholarship-funding organization may charge the parent of an eligible student up to a $25 fee to establish the Florida Personal Learning Scholarship Account but may not receive any other fees.

   (b) Establish and maintain separate accounts for each eligible student.

   (c) Verify qualifying expenditures before receipt of the quarterly distribution by the department.

   (d) Return any unused funds to the department when a student is no longer eligible for a Florida Personal Learning Scholarship Account.

   (e) Provide to the Auditor General and the department an annual financial and compliance audit of its accounts and records conducted by an independent certified public accountant in accordance with rules adopted by the Auditor General. The audit must be conducted in compliance with generally accepted auditing standards and must include a report on financial statements presented in accordance with generally accepted accounting principles set forth by the American Institute of
Certified Public Accountants for not-for-profit organizations and a determination of compliance with the requirements provided in this section. Audits must be provided to the Auditor General and the Department of Education within 180 days after completion of the nonprofit scholarship-funding organization's fiscal year. If a nonprofit scholarship-funding organization does not submit an annual audit, the Auditor General shall conduct the audit required by this paragraph.

(f) Prepare and submit quarterly reports to the department pursuant to paragraph (6)(f). In addition, a nonprofit scholarship-funding organization must submit in a timely manner any information requested by the department relating to the Florida Personal Learning Scholarship Account Program.

(6) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department must:

(a) Maintain a list of approved providers.

(b) Require each eligible nonprofit scholarship-funding organization to verify eligible expenditures as provided in subparagraph (4)(b)3. before reimbursement.

(c) Investigate any written complaint of a violation of this section in accordance with the process established by s. 1002.395(9)(f).

(d) Notify an eligible nonprofit scholarship-funding organization of any of the organization's identified students who are receiving educational scholarships pursuant to part III of this chapter.
(e) Notify an eligible nonprofit scholarship-funding organization of any of the organization's identified students who have established a Florida Personal Learning Scholarship Account with another eligible nonprofit scholarship-funding organization or who have been reported for funding by a school district or the Florida Virtual School.

(f) Require quarterly reports by an eligible nonprofit scholarship-funding organization regarding the number of students participating in the program, the providers of services to students, and other information deemed necessary by the department.

(g) Establish an annual enrollment period and a process in which a parent may apply to enroll his or her child in the program. The enrollment period shall end no later than April 1 for applications for the following school year.

(7) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.—

(a) Upon the request of a parent, the school district in which the student resides shall conduct an initial evaluation of a student in accordance with s. 1003.57. If a determination is made that the student has a disability and needs special education and related services, an individual educational plan must be developed.