

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Education Committee
 2 Representative Donalds offered the following:

Amendment (with title amendment)

Between lines 717 and 718, insert:

6 Section 6. Section 1002.421, Florida Statutes, is amended to
7 read:

8 1002.421 ~~Accountability of private schools participating~~
9 ~~in~~ State school choice scholarship program accountability and
10 oversight programs.-

11 (1) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.-A Florida
 12 private school participating in ~~the Florida Tax Credit~~
 13 ~~Scholarship Program established pursuant to s. 1002.395~~ or an
 14 educational scholarship program established pursuant to this
 15 chapter must be a Florida private school as defined in s.
 16 1002.01(2), be registered, and be in compliance ~~comply~~ with all

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17 requirements of this section in addition to private school
18 requirements outlined in s. 1002.42, specific requirements
19 identified within respective scholarship program laws, and other
20 provisions of Florida law that apply to private schools, and
21 must:-

22 ~~(2) A private school participating in a scholarship~~
23 ~~program must be a Florida private school as defined in s.~~
24 ~~1002.01(2), must be registered in accordance with s. 1002.42,~~
25 ~~and must:~~

26 (a) Comply with the antidiscrimination provisions of 42
27 U.S.C. s. 2000d.

28 (b) Notify the department of its intent to participate in
29 a scholarship program.

30 (c) Notify the department of any change in the school's
31 name, school director, mailing address, or physical location
32 within 15 days after the change.

33 (d) Provide to the department or scholarship-funding
34 organization all documentation required for a student's
35 participation, including the private school's and student's
36 individual fee schedule, and ~~Complete student enrollment and~~
37 ~~attendance verification requirements, including use of an online~~
38 attendance verification as required by the department or
39 scholarship-funding organization ~~form~~, prior to scholarship
40 payment.

41 (e) Annually complete and submit to the department a

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42 notarized scholarship compliance statement certifying that all
43 school employees and contracted personnel with direct student
44 contact have undergone background screening pursuant to s.
45 943.0542 and have met the screening standards of s. 435.04.

46 (f) Demonstrate fiscal soundness and accountability by:

47 1. Being in operation for at least 3 school years or
48 obtaining a surety bond or letter of credit for the amount equal
49 to the scholarship funds for any quarter and filing the surety
50 bond or letter of credit with the department.

51 2. Requiring the parent of each scholarship student to
52 personally restrictively endorse the scholarship warrant to the
53 school or approve a funds transfer before any funds are
54 deposited for a student. The school may not act as attorney in
55 fact for the parent of a scholarship student under the authority
56 of a power of attorney executed by such parent, or under any
57 other authority, to endorse a scholarship warrant or approve a
58 funds transfer warrants on behalf of such parent.

59 (g) Meet applicable state and local health, safety, and
60 welfare laws, codes, and rules, including:

61 1. Firesafety.

62 2. Building safety.

63 (h) Employ or contract with teachers who hold
64 baccalaureate or higher degrees, have at least 3 years of
65 teaching experience in public or private schools, or have
66 special skills, knowledge, or expertise that qualifies them to

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67 provide instruction in subjects taught.

68 (i) Maintain a physical location in the state at which
69 each student has regular and direct contact with teachers.

70 (j) Publish on the school's website, or in a written
71 format, information for parents regarding the school, including,
72 but not limited to, programs, services, and the qualifications
73 of classroom teachers.

74 (k) At a minimum, provide the parent of each scholarship
75 student with a written explanation of the student's progress on
76 a quarterly basis.

77 (l) Cooperate with a student whose parent chooses to
78 participate in the statewide assessments pursuant to s. 1008.22.

79 (m)-(i) Require each employee and contracted personnel with
80 direct student contact, upon employment or engagement to provide
81 services, to undergo a state and national background screening,
82 pursuant to s. 943.0542, by electronically filing with the
83 Department of Law Enforcement a complete set of fingerprints
84 taken by an authorized law enforcement agency or an employee of
85 the private school, a school district, or a private company who
86 is trained to take fingerprints and deny employment to or
87 terminate an employee if he or she fails to meet the screening
88 standards under s. 435.04. Results of the screening shall be
89 provided to the participating private school. For purposes of
90 this paragraph:

91 1. An "employee or contracted personnel with direct

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92 student contact" means any employee or contracted personnel who
93 has unsupervised access to a scholarship student for whom the
94 private school is responsible.

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

97 3. Continued employment of an employee or contracted
98 personnel after notification that he or she has failed the
99 background screening under this paragraph shall cause a private
100 school to be ineligible for participation in a scholarship
101 program.

102 4. An employee or contracted personnel holding a valid
103 Florida teaching certificate who has been fingerprinted pursuant
104 to s. 1012.32 is not required to comply with the provisions of
105 this paragraph.

106 ~~5.(3)(a)~~ All fingerprints submitted to the Department of
107 Law Enforcement as required by this section shall be retained by
108 the Department of Law Enforcement in a manner provided by rule
109 and entered in the statewide automated biometric identification
110 system authorized by s. 943.05(2)(b). Such fingerprints shall
111 thereafter be available for all purposes and uses authorized for
112 arrest fingerprints entered in the statewide automated biometric
113 identification system pursuant to s. 943.051.

114 ~~6.(b)~~ The Department of Law Enforcement shall search all
115 arrest fingerprints received under s. 943.051 against the
116 fingerprints retained in the statewide automated biometric

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117 identification system under subparagraph 5 ~~paragraph (a)~~. Any
118 arrest record that is identified with the retained fingerprints
119 of a person subject to the background screening under this
120 section shall be reported to the employing school with which the
121 person is affiliated. Each private school participating in a
122 scholarship program is required to participate in this search
123 process by informing the Department of Law Enforcement of any
124 change in the employment or contractual status of its personnel
125 whose fingerprints are retained under subparagraph 5 ~~paragraph~~
126 ~~(a)~~. The Department of Law Enforcement shall adopt a rule
127 setting the amount of the annual fee to be imposed upon each
128 private school for performing these searches and establishing
129 the procedures for the retention of private school employee and
130 contracted personnel fingerprints and the dissemination of
131 search results. The fee may be borne by the private school or
132 the person fingerprinted.

133 7.~~(e)~~ Employees and contracted personnel whose
134 fingerprints are not retained by the Department of Law
135 Enforcement under subparagraphs 5. and 6. ~~paragraphs (a) and (b)~~
136 are required to be refingerprinted and must meet state and
137 national background screening requirements upon reemployment or
138 reengagement to provide services in order to comply with the
139 requirements of this section.

140 8.~~(d)~~ Every 5 years following employment or engagement to
141 provide services with a private school, employees or contracted

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142 personnel required to be screened under this section must meet
143 screening standards under s. 435.04, at which time the private
144 school shall request the Department of Law Enforcement to
145 forward the fingerprints to the Federal Bureau of Investigation
146 for national processing. If the fingerprints of employees or
147 contracted personnel are not retained by the Department of Law
148 Enforcement under subparagraph 5. ~~paragraph (a)~~, employees and
149 contracted personnel must electronically file a complete set of
150 fingerprints with the Department of Law Enforcement. Upon
151 submission of fingerprints for this purpose, the private school
152 shall request that the Department of Law Enforcement forward the
153 fingerprints to the Federal Bureau of Investigation for national
154 processing, and the fingerprints shall be retained by the
155 Department of Law Enforcement under subparagraph 5 ~~paragraph~~
156 ~~(a)~~.

157 ~~(4) A private school that accepts scholarship students~~
158 ~~under s. 1002.39 or s. 1002.395 must:~~

159 ~~(a) Disqualify instructional personnel and school~~
160 ~~administrators, as defined in s. 1012.01, from employment in any~~
161 ~~position that requires direct contact with students if the~~
162 ~~personnel or administrators are ineligible for such employment~~
163 ~~under s. 1012.315.~~

164 (n) ~~(b)~~ Adopt policies establishing standards of ethical
165 conduct for instructional personnel and school administrators.
166 The policies must require all instructional personnel and school

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167 administrators, as defined in s. 1012.01, to complete training
168 on the standards; establish the duty of instructional personnel
169 and school administrators to report, and procedures for
170 reporting, alleged misconduct by other instructional personnel
171 and school administrators which affects the health, safety, or
172 welfare of a student; and include an explanation of the
173 liability protections provided under ss. 39.203 and 768.095. A
174 private school, or any of its employees, may not enter into a
175 confidentiality agreement regarding terminated or dismissed
176 instructional personnel or school administrators, or personnel
177 or administrators who resign in lieu of termination, based in
178 whole or in part on misconduct that affects the health, safety,
179 or welfare of a student, and may not provide the instructional
180 personnel or school administrators with employment references or
181 discuss the personnel's or administrators' performance with
182 prospective employers in another educational setting, without
183 disclosing the personnel's or administrators' misconduct. Any
184 part of an agreement or contract that has the purpose or effect
185 of concealing misconduct by instructional personnel or school
186 administrators which affects the health, safety, or welfare of a
187 student is void, is contrary to public policy, and may not be
188 enforced.

189 (o)~~(e)~~ Before employing instructional personnel or school
190 administrators in any position that requires direct contact with
191 students, conduct employment history checks of each of the

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192 personnel's or administrators' previous employers, screen the
193 personnel or administrators through use of the educator
194 screening tools described in s. 1001.10(5), and document the
195 findings. If unable to contact a previous employer, the private
196 school must document efforts to contact the employer.

197 (p) Require each owner or operator of the private school,
198 prior to employment or engagement to provide services, to
199 undergo level 2 background screening as provided under chapter
200 435. For purposes of this paragraph, the term "owner or
201 operator" means an owner, operator, superintendent, or principal
202 of, or a person with equivalent decisionmaking authority over, a
203 private school participating in a scholarship program
204 established pursuant to this chapter. The fingerprints for the
205 background screening must be electronically submitted to the
206 Department of Law Enforcement and may be taken by an authorized
207 law enforcement agency or a private company who is trained to
208 take fingerprints. However, the complete set of fingerprints of
209 an owner or operator may not be taken by the owner or operator.
210 The owner or operator shall provide a copy of the results of the
211 state and national criminal history check to the Department of
212 Education. The cost of the background screening may be borne by
213 the owner or operator.

214 1. Every 5 years following employment or engagement to
215 provide services, each owner or operator must meet level 2
216 screening standards as described in s. 435.04, at which time the

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217 owner or operator shall request the Department of Law
218 Enforcement to forward the fingerprints to the Federal Bureau of
219 Investigation for level 2 screening. If the fingerprints of an
220 owner or operator are not retained by the Department of Law
221 Enforcement under subparagraph 2., the owner or operator must
222 electronically file a complete set of fingerprints with the
223 Department of Law Enforcement. Upon submission of fingerprints
224 for this purpose, the owner or operator shall request that the
225 Department of Law Enforcement forward the fingerprints to the
226 Federal Bureau of Investigation for level 2 screening, and the
227 fingerprints shall be retained by the Department of Law
228 Enforcement under subparagraph 2.

229 2. Fingerprints submitted to the Department of Law
230 Enforcement as required by this paragraph must be retained by
231 the Department of Law Enforcement in a manner approved by rule
232 and entered in the statewide automated biometric identification
233 system authorized by s. 943.05(2)(b). The fingerprints must
234 thereafter be available for all purposes and uses authorized for
235 arrest fingerprints entered in the statewide automated biometric
236 identification system pursuant to s. 943.051.

237 3. The Department of Law Enforcement shall search all
238 arrest fingerprints received under s. 943.051 against the
239 fingerprints retained in the statewide automated biometric
240 identification system under subparagraph 2. Any arrest record
241 that is identified with an owner's or operator's fingerprints

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242 must be reported to the owner or operator, who must report to
243 the Department of Education. Any costs associated with the
244 search shall be borne by the owner or operator.

245 4. An owner or operator who fails the level 2 background
246 screening is not eligible to participate in a scholarship
247 program under this chapter.

248 5. In addition to the offenses listed in s. 435.04, a
249 person required to undergo background screening pursuant to this
250 part or authorizing statutes must not have an arrest awaiting
251 final disposition for, must not have been found guilty of, or
252 entered a plea of nolo contendere to, regardless of
253 adjudication, and must not have been adjudicated delinquent for,
254 and the record must not have been sealed or expunged for, any of
255 the following offenses or any similar offense of another
256 jurisdiction:

257 a. Any authorizing statutes, if the offense was a felony.

258 b. This chapter, if the offense was a felony.

259 c. Section 409.920, relating to Medicaid provider fraud.

260 d. Section 409.9201, relating to Medicaid fraud.

261 e. Section 741.28, relating to domestic violence.

262 f. Section 817.034, relating to fraudulent acts through
263 mail, wire, radio, electromagnetic, photoelectronic, or
264 photooptical systems.

265 g. Section 817.234, relating to false and fraudulent
266 insurance claims.

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- 267 h. Section 817.505, relating to patient brokering.
- 268 i. Section 817.568, relating to criminal use of personal
- 269 identification information.
- 270 j. Section 817.60, relating to obtaining a credit card
- 271 through fraudulent means.
- 272 k. Section 817.61, relating to fraudulent use of credit
- 273 cards, if the offense was a felony.
- 274 l. Section 831.01, relating to forgery.
- 275 m. Section 831.02, relating to uttering forged
- 276 instruments.
- 277 n. Section 831.07, relating to forging bank bills, checks,
- 278 drafts, or promissory notes.
- 279 o. Section 831.09, relating to uttering forged bank bills,
- 280 checks, drafts, or promissory notes.
- 281 p. Section 831.30, relating to fraud in obtaining
- 282 medicinal drugs.
- 283 q. Section 831.31, relating to the sale, manufacture,
- 284 delivery, or possession with the intent to sell, manufacture, or
- 285 deliver any counterfeit controlled substance, if the offense was
- 286 a felony.
- 287 6. At least 30 calendar days before a transfer of
- 288 ownership of a private school, the owner or operator shall
- 289 notify the parent of each scholarship student.
- 290 7. The owner or operator of a private school that has been
- 291 deemed ineligible to participate in a scholarship program

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292 pursuant to this chapter may not transfer ownership or
293 management authority of the school to a relative in order to
294 participate in a scholarship program as the same school or a new
295 school. For purposes of this subparagraph, the term "relative"
296 means father, mother, son, daughter, grandfather, grandmother,
297 brother, sister, uncle, aunt, cousin, nephew, niece, husband,
298 wife, father-in-law, mother-in-law, son-in-law, daughter-in-law,
299 brother-in-law, sister-in-law, stepfather, stepmother, stepson,
300 stepdaughter, stepbrother, stepsister, half-brother, or half-
301 sister.

302 (g) Provide a report from an independent certified public
303 accountant who performs the agreed-upon procedures developed
304 pursuant to s. 1002.395(6)(o) if the private school receives
305 more than \$250,000 in funds from scholarships awarded under this
306 chapter in a state fiscal year. A private school subject to this
307 subsection must annually submit the report by September 15 to
308 the scholarship-funding organization that awarded the majority
309 of the school's scholarship funds. However, a school that
310 receives more than \$250,000 in scholarship funds only through
311 the John M. McKay Scholarship for Students with Disabilities
312 Program pursuant to s. 1002.39 must submit the report by
313 September 15 to the department. The agreed-upon procedures must
314 be conducted in accordance with attestation standards
315 established by the American Institute of Certified Public
316 Accountants.

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318 The department shall suspend the payment of funds ~~under ss.~~
319 ~~1002.39 and 1002.395~~ to a private school that knowingly fails to
320 comply with this subsection, and shall prohibit the school from
321 enrolling new scholarship students, for 1 fiscal year and until
322 the school complies.

323 ~~(5) If The inability of a private school fails to meet the~~
324 ~~requirements of this subsection or has consecutive years of~~
325 ~~material exceptions listed in the report required under~~
326 ~~paragraph (q), the commissioner may determine that the private~~
327 ~~school is ineligible section shall constitute a basis for the~~
328 ~~ineligibility of the private school to participate in a~~
329 ~~scholarship program as determined by the department.~~

330 (2) DEPARTMENT OF EDUCATION OBLIGATIONS.-

331 (a) The Department of Education shall:

332 1. Annually verify the eligibility of private schools that
333 meet the requirements of this section, specific requirements
334 identified within respective scholarship program laws, and other
335 provisions of state law that apply to private schools.

336 2. Establish a toll-free hotline that provides parents and
337 private schools with information on participation in the
338 scholarship programs.

339 3. Establish a process by which individuals may notify the
340 department of any violation by a parent, private school, or
341 school district of state laws relating to program participation.

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342 If the department has reasonable cause to believe that a
343 violation of this section or any rule adopted by the State Board
344 of Education has occurred, it shall conduct an inquiry or make a
345 referral to the appropriate agency for an investigation. A
346 department inquiry is not subject to the requirements of chapter
347 120.

348 4. Require an annual, notarized, sworn compliance
349 statement from participating private schools certifying
350 compliance with state laws, and retain such records.

351 5. Coordinate with the entities conducting the health
352 inspection for a private school to obtain copies of the
353 inspection reports.

354 6. Conduct site visits to private schools entering a
355 scholarship program for the first time. Beginning with the 2019-
356 2020 school year, a private school is not eligible to receive
357 scholarship payments until a satisfactory site visit has been
358 conducted and the school is in compliance with all other
359 requirements of this section.

360 7. Coordinate with the State Fire Marshal to obtain access
361 to fire inspection reports for private schools. The authority
362 conducting the fire safety inspection shall certify to the State
363 Fire Marshal that the annual inspection has been completed and
364 that the school is in full compliance. The certification shall
365 be made electronically or by such other means as directed by the
366 State Fire Marshal.

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367 8. Upon the request of a participating private school
368 authorized to administer statewide assessments, provide at no
369 cost to the school the statewide assessments administered under
370 s. 1008.22 and any related materials for administering the
371 assessments. Students at a private school may be assessed using
372 the statewide assessments if the addition of those students and
373 the school does not cause the state to exceed its contractual
374 caps for the number of students tested and the number of testing
375 sites. The state shall provide the same materials and support to
376 a private school that it provides to a public school. A private
377 school that chooses to administer statewide assessments under s.
378 1008.22 shall follow the requirements set forth in ss. 1008.22
379 and 1008.24, rules adopted by the State Board of Education to
380 implement those sections, and district-level testing policies
381 established by the district school board.

382 (b) The department may conduct site visits to any private
383 school participating in a scholarship program pursuant to this
384 chapter that has received a complaint about a violation of state
385 law or state board rule pursuant to subparagraph (a)3. or has
386 received a notice of noncompliance or a notice of proposed
387 action within the previous 2 years.

388 (c) Annually, by December 15, the department shall report
389 to the Governor, the President of the Senate, and the Speaker of
390 the House of Representatives its actions in implementing
391 accountability in the scholarship programs under this section,

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392 any substantiated allegations or violations of law or rule by an
393 eligible private school under this section, and the corrective
394 action taken.

395 (3) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.-

396 The Commissioner of Education:

397 (a) Shall deny, suspend, or revoke a private school's
398 participation in a scholarship program if it is determined that
399 the private school has failed to comply with this section or
400 exhibits a previous pattern of failure to comply. However, if
401 the noncompliance is correctable within a reasonable amount of
402 time, not to exceed 45 days, and if the health, safety, or
403 welfare of the students is not threatened, the commissioner may
404 issue a notice of noncompliance which provides the private
405 school with a timeframe within which to provide evidence of
406 compliance before taking action to suspend or revoke the private
407 school's participation in the scholarship program.

408 (b) May deny, suspend, or revoke a private school's
409 participation in a scholarship program if the commissioner
410 determines that an owner or operator of the private school is
411 operating or has operated an educational institution in this
412 state or in another state or jurisdiction in a manner contrary
413 to the health, safety, or welfare of the public or if the owner
414 or operator has exhibited a previous pattern of failure to
415 comply with this section or specific requirements identified
416 within respective scholarship program laws. For purposes of this

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417 subsection, the term "owner or operator" has the same meaning as
418 provided in paragraph (1) (p).

419 (c)1. In making such a determination, may consider factors
420 that include, but are not limited to, acts or omissions by an
421 owner or operator which led to a previous denial, suspension, or
422 revocation of participation in a state or federal education
423 scholarship program; an owner's or operator's failure to
424 reimburse the department or scholarship-funding organization for
425 scholarship funds improperly received or retained by a school;
426 the imposition of a prior criminal sanction related to an
427 owner's or operator's management or operation of an educational
428 institution; the imposition of a civil fine or administrative
429 fine, license revocation or suspension, or program eligibility
430 suspension, termination, or revocation related to an owner's or
431 operator's management or operation of an educational
432 institution; or other types of criminal proceedings in which an
433 owner or operator was found guilty of, regardless of
434 adjudication, or entered a plea of nolo contendere or guilty to,
435 any offense involving fraud, deceit, dishonesty, or moral
436 turpitude.

437 2. The commissioner's determination is subject to the
438 following:

439 a. If the commissioner intends to deny, suspend, or revoke
440 a private school's participation in the scholarship program, the
441 department shall notify the private school of such proposed

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442 action in writing by certified mail and regular mail to the
443 private school's address of record with the department. The
444 notification shall include the reasons for the proposed action
445 and notice of the timelines and procedures set forth in this
446 paragraph.

447 b. The private school that is adversely affected by the
448 proposed action shall have 15 days after receipt of the notice
449 of proposed action to file with the department's agency clerk a
450 request for a proceeding pursuant to ss. 120.569 and 120.57. If
451 the private school is entitled to a hearing under s. 120.57(1),
452 the department shall forward the request to the Division of
453 Administrative Hearings.

454 c. Upon receipt of a request referred pursuant to this
455 subparagraph, the director of the Division of Administrative
456 Hearings shall expedite the hearing and assign an administrative
457 law judge who shall commence a hearing within 30 days after the
458 receipt of the formal written request by the division and enter
459 a recommended order within 30 days after the hearing or within
460 30 days after receipt of the hearing transcript, whichever is
461 later. Each party shall be allowed 10 days in which to submit
462 written exceptions to the recommended order. A final order shall
463 be entered by the agency within 30 days after the entry of a
464 recommended order. The provisions of this sub-subparagraph may
465 be waived upon stipulation by all parties.

466 (d) May immediately suspend payment of scholarship funds

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467 if it is determined that there is probable cause to believe that
468 there is:

469 1. An imminent threat to the health, safety, or welfare of
470 the students;

471 2. A previous pattern of failure to comply with this
472 section; or

473 3. Fraudulent activity on the part of the private school.
474 Notwithstanding s. 1002.22, in incidents of alleged fraudulent
475 activity pursuant to this section, the department's Office of
476 Inspector General is authorized to release personally
477 identifiable records or reports of students to the following
478 persons or organizations:

479 a. A court of competent jurisdiction in compliance with an
480 order of that court or the attorney of record in accordance with
481 a lawfully issued subpoena, consistent with the Family
482 Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

483 b. A person or entity authorized by a court of competent
484 jurisdiction in compliance with an order of that court or the
485 attorney of record pursuant to a lawfully issued subpoena,
486 consistent with the Family Educational Rights and Privacy Act,
487 20 U.S.C. s. 1232g.

488 c. Any person, entity, or authority issuing a subpoena for
489 law enforcement purposes when the court or other issuing agency
490 has ordered that the existence or the contents of the subpoena
491 or the information furnished in response to the subpoena not be

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492 disclosed, consistent with the Family Educational Rights and
493 Privacy Act, 20 U.S.C. s. 1232g, and 34 C.F.R. s. 99.31.

494
495 The commissioner's order suspending payment pursuant to this
496 paragraph may be appealed pursuant to the same procedures and
497 timelines as the notice of proposed action set forth in
498 subparagraph (c)2.

499 ~~(4)-(6)~~ The inclusion of eligible private schools within
500 options available to Florida public school students does not
501 expand the regulatory authority of the state, its officers, or
502 any school district to impose any additional regulation of
503 private schools beyond those reasonably necessary to enforce
504 requirements expressly set forth in this section.

505 ~~(5)-(7)~~ The State Board of Education shall adopt rules
506 pursuant to ss. 120.536(1) and 120.54 to administer this
507 section, including rules to establish a deadline for private
508 school applications for participation and timelines for the
509 department to conduct site visits.

510

511

512

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

513
514 Remove lines 18-70 and insert:
515 program requirements; providing parent and student
516 responsibilities for initial and continued participation in the

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517 program; providing nonprofit scholarship-funding organization
518 obligations; providing for the calculation of the scholarship
519 amount; providing the scholarship amount for students
520 transferred to certain public schools; requiring verification of
521 specified information before a scholarship may be disbursed;
522 providing requirements for the scholarship payments; providing
523 funds for administrative expenses for certain nonprofit
524 scholarship-funding organizations; providing requirements for
525 administrative expenses; prohibiting a nonprofit scholarship-
526 funding organization from charging an application fee; providing
527 Auditor General obligations; providing requirements for
528 elections to contribute to the program; requiring the Department
529 of Revenue to adopt forms to administer the program; providing
530 reporting requirements for nonprofit scholarship-funding
531 organizations relating to contributions; providing requirements
532 for certain agents of the Department of Revenue and motor
533 vehicle dealers; providing penalties; providing for the
534 restitution of specified funds under certain circumstances;
535 providing the state is not liable for the award or use of
536 program funds; prohibiting additional regulations for private
537 schools participating in the program beyond those necessary to
538 enforce program requirements; requiring the State Board of
539 Education to adopt rules to administer the program; creating s.
540 212.1832, F.S.; authorizing certain persons to elect to direct
541 certain state sales and use tax revenue to be transferred to a

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542 nonprofit scholarship-funding organizations for the Hope
543 Scholarship Program; providing requirements for motor vehicle
544 dealers; requiring the Department of Revenue to disregard
545 certain tax credits for specified purposes; amending s. 213.053,
546 F.S.; requiring the Department of Revenue to share specified
547 information with eligible nonprofit scholarship-funding
548 organizations; providing that certain requirements apply to such
549 organizations; authorizing the Department of Revenue to adopt
550 emergency rules for specified purposes; providing a contingent
551 appropriation; amending s. 1002.421, F.S.; providing private
552 school requirements for participation in educational scholarship
553 programs; providing background screening requirements and
554 procedures for owners of private schools; providing that a
555 private school is ineligible to participate in an educational
556 scholarship program under certain circumstances; providing
557 department obligations relating to educational scholarship
558 programs; providing commissioner authority and responsibilities
559 for educational scholarship programs; authorizing the
560 commissioner to deny, suspend, or revoke a private school's
561 participation in an educational scholarship program; providing
562 an effective date.