

Tab 1 CS/HB 7055 by APC, EDC, Bileca, Diaz, M.; (Compare to CS/S 00354) Education						
826696	D	S	RE	ED, Hukill	Delete everything after	02/21 02:38 PM
832342	AA	S	WD	ED, Mayfield	Before L.5:	02/21 02:38 PM
647426	AA	S	WD	ED, Thurston	Delete L.1091 - 1093:	02/21 02:38 PM
877956	AA	S	WD	ED, Thurston	Delete L.1139:	02/21 02:38 PM
682492	AA	S	RE	ED, Stewart	btw L.1796 - 1797:	02/21 02:38 PM
232740	AA	S	RE	ED, Mayfield	btw L.1972 - 1973:	02/21 02:38 PM
291336	AA	S	RE	ED, Thurston	btw L.2029 - 2030:	02/21 02:38 PM
206492	AA	S	WD	ED, Stewart	btw L.2208 - 2209:	02/21 02:38 PM
675602	AA	S	WD	ED, Lee	Delete L.2527 - 2529:	02/21 02:38 PM
913420	AA	S	RE	ED, Thurston	Delete L.2615 - 2645.	02/21 02:38 PM
775230	AA	S	WD	ED, Mayfield	btw L.2776 - 2777:	02/21 02:38 PM
114228	AA	S	RE	ED, Mayfield	btw L.2776 - 2777:	02/21 02:38 PM
467400	SD	S	WD	ED, Thurston	Delete everything after	02/21 02:38 PM
848558	SD	S	UNFAV	ED, Farmer	Delete everything after	02/21 02:38 PM
903516	D	S	FAV	ED, Hukill	Delete everything after	02/21 02:38 PM

Tab 2 SB 1804 by Stargel; (Similar to CS/CS/CS/1ST ENG/H 01279) School District Accountability						
419978	D	S	FAV	ED, Stargel	Delete everything after	02/20 03:50 PM

Tab 13 SB 968 by Brandes; (Similar to CS/H 01035) Mastery-based Education						
326084	A	S		ED, Brandes	Delete L.95:	02/19 11:13 AM

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

EDUCATION
Senator Hukill, Chair
Senator Mayfield, Vice Chair

MEETING DATE: Tuesday, February 20, 2018**TIME:** 11:00 a.m.—1:00 p.m.**PLACE:** Pat Thomas Committee Room, 412 Knott Building**MEMBERS:** Senator Hukill, Chair; Senator Mayfield, Vice Chair; Senators Book, Farmer, Galvano, Lee, Perry, Simmons, Simpson, Stewart, and Thurston

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	CS/HB 7055 Appropriations Committee / Education Committee / Bileca / Diaz, M. (Compare CS/CS/H 1, CS/H 11, CS/H 29, H 699, H 777, CS/CS/H 827, H 845, H 949, CS/H 1035, H 1191, CS/CS/CS/H 1279, H 1431, H 5001, H 5101, H 6051, H 7003, CS/S 354, S 436, S 1064, CS/S 1090, S 1152, CS/S 1172, S 1198, S 1534, CS/S 1548, S 1566, S 1616, S 1618, S 1746, S 1804, S 1820, S 1848, S 1884, S 2500)	Education; Revises provisions relating to Commissioner of Education, DOE, school districts, school district superintendents, statewide, standardized assessments, charter schools, educational scholarship programs, principal autonomy pilot program initiative, dual enrollment, FLVS, & private schools. ED 02/20/2018 Fav/1 Amendment AP	Fav/1 Amendment (Yeas 9 Nays 0
2	SB 1804 Stargel (Similar CS/CS/CS/H 1279, Compare CS/H 11, H 7003, CS/H 7055, CS/S 354, S 1534)	School District Accountability; Prohibiting former appointed district school superintendents from conducting certain lobbying activities; requiring the governing body of a district school board to take specified actions under such circumstances; requiring the Office of Inspector General to investigate certain allegations and reports made by specified individuals; requiring a district school board to limit certain expenditures by a specified amount if certain financial conditions exist for a specified period of time, etc. ED 02/20/2018 Fav/CS AP RC	Fav/CS Yeas 9 Nays 0

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
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Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointment to the office indicated.

State Board of Education

3	Johnson, Marva Brown (Winter Garden)	12/31/2021	Recommend Confirm Yeas 9 Nays 0
	Olenick, Michael H. (Palm City)	12/31/2020	Recommend Confirm Yeas 9 Nays 0
	Tuck, Andy (Sebring)	12/31/2021	Recommend Confirm Yeas 9 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Education

Tuesday, February 20, 2018, 11:00 a.m.—1:00 p.m.

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
	York, Joseph S. (Ponte Vedra Beach)	12/31/2021	Recommend Confirm Yeas 9 Nays 0
Board of Governors of the State University System			
4	Cerio, Timothy M. (Tallahassee)	01/06/2024	Recommend Confirm Yeas 9 Nays 0
	Frost, Patricia (Miami Beach)	01/06/2024	Recommend Confirm Yeas 9 Nays 0
	Lautenbach, Ned C. (Naples)	01/06/2020	Recommend Confirm Yeas 9 Nays 0
	Patel, Jayprakash S. (Pensacola)	01/06/2019	Recommend Confirm Yeas 9 Nays 0
	Zachariah, Zachariah P., M.D. (Sea Ranch Lakes)	01/06/2019	Recommend Confirm Yeas 9 Nays 0
Board of Trustees, Florida Atlantic University			
5	Levine, Bradley M. (Boca Raton)	01/06/2023	Recommend Confirm Yeas 9 Nays 0
	McDonald, Mary Beth (Vero Beach)	01/06/2021	Recommend Confirm Yeas 9 Nays 0
Board of Trustees, University of Central Florida			
6	Gaekwad, Digvijay "Danny" (Ocala)	01/06/2023	Recommend Confirm Yeas 9 Nays 0
Board of Trustees, Florida State University			
7	Ballard, Kathryn S. (Tallahassee)	01/06/2023	Recommend Confirm Yeas 9 Nays 0
	Gonzalez, Jorge (Miramar Beach)	01/06/2021	Recommend Confirm Yeas 9 Nays 0
Board of Trustees, Florida Gulf Coast University			
8	Smith, Stephen Moore (Naples)	01/06/2021	Recommend Confirm Yeas 9 Nays 0
Board of Trustees, Florida Polytechnic University			
9	Wendt, Gary C. (Ft. Lauderdale)	06/30/2022	Recommend Confirm Yeas 9 Nays 0
Board of Trustees, University of Florida			
10	Kuntz, Thomas G. (Winter Park)	01/06/2023	Recommend Confirm Yeas 9 Nays 0
Board of Trustees, University of North Florida			
11	Bryan, Thomas A. (Jacksonville)	01/06/2023	Recommend Confirm Yeas 9 Nays 0
Board of Trustees, University of South Florida			
12	Horton, Oscar J. (Lithia)	01/06/2023	Recommend Confirm Yeas 9 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Education

Tuesday, February 20, 2018, 11:00 a.m.—1:00 p.m.

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
	Muma, Leslie M. (Belleair)	01/06/2023	Recommend Confirm Yeas 9 Nays 0
	Tokarz, Charles (Sarasota)	01/06/2021	Recommend Confirm Yeas 9 Nays 0

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
13	SB 968 Brandes (Similar CS/H 1035)	Mastery-based Education; Authorizing a district school board participating in the Mastery-Based Education Pilot Program to award credit based on student mastery of certain content and skills; renaming the Competency-Based Education Pilot Program as the Mastery-Based Education Pilot Program; requiring the statewide articulation agreement to ensure fair and equitable access for students with mastery-based, nontraditional diplomas and transcripts, etc. ED 02/20/2018 Not Considered AED AP	Not Considered

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: CS/HB 7055

INTRODUCER: Appropriations Committee; Education Committee; and Representatives Bileca and Diaz

SUBJECT: Education

DATE: February 19, 2018

REVISED: 02/21/18

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Androff, Bouck, Olenick	Graf	ED	Fav /1 Amendment
2.			AP	

Please see Section IX. for Additional Information:

AMENDMENTS - Significant amendments were recommended

I. Summary:

CS/HB 7055 creates education scholarship programs and streamlines state school choice scholarship program accountability provisions; specifies district school board oversight responsibilities, and promotes education, certification, and licensure opportunities for members of the U.S. military. Specifically, the bill:

- Establishes the Hope Scholarship Program for students subjected to bullying and other specified incidents in public schools.
- Streamlines and strengthens the oversight provisions for private schools participating in state school choice scholarship programs.
- Establishes Reading Scholarship Accounts for struggling readers in grades 3-5.
- Modifies the charter school application process, charter contract term and consolidation, and due process; and revises eligibility requirements for high-performing charter schools and allows replication of up to two such schools per year.
- Provides for district-independent autonomous schools under independent governing boards; and specifies flexibilities for such boards.
- Specifies district school board oversight and fiscal transparency responsibilities; and enumerates related duties for the district school superintendents, Auditor General, and Department of Education (DOE).
- Requires employee organizations for instructional personnel to include specified information in the application for renewal of registration and specifies recertification requirements for employee organizations.

- Designates March 25 as “Medal of Honor Day;” specifies related required instruction for students in public schools; and creates mechanisms for members of the U.S. military to fulfill certain certification and licensure requirements for specified purposes.
- Requires professional development resources disseminated by the DOE through the web-based statewide performance-support system to include sample course-at-a-glance and unit overview templates that school districts may use when developing curriculum.
- Requires paper-based administration of statewide, standardized English Language Arts and mathematics assessments for grades 7-8 by the 2019-2020 school year.
- Authorizes the Commissioner of Education to coordinate with specified education entities in the event of an emergency situation to assess the need for resources and assistance.
- Requires each school district to conduct a security risk assessment at each public school and conduct a self-assessment of the school districts’ current safety and security practices using a format developed by the DOE, and deletes an outdated reference in current law to the Safety and Security Best Practices developed by the Office of Program Policy Analysis and Government Accountability.
- Modifies dual enrollment provisions relating to instructional materials for home education program students, and compensation by private schools for dual enrollment instruction provided by postsecondary education institutions.
- Deletes the obsolete July 1, 2007, deadline for the DOE to develop and operate an electronic individual education plan system for statewide use.

Additionally, the bill modifies funding provisions related to the Schools of Hope Program, supplemental academic instruction allocation, research-based reading instruction allocation, and teacher bonus for CAPE industry certifications attained by students.

The bill appropriates for the 2018-2019 fiscal year the sum of \$19,350,000 in recurring funds from the General Revenue Fund and the sum of \$850,000 in nonrecurring funds from the General Revenue Fund to implement the provisions of this act.

The bill takes effect on July 1, 2018.

II. Present Situation:

The present situation for the relevant portions of the bill is discussed in the Effect of Proposed Changes section of this bill analysis.

III. Effect of Proposed Changes:

School Choice Scholarship - Hope Scholarship

Present situation

Florida law has established various scholarship programs to promote school choice and assist parents in the placement of their children in diverse educational settings including private schools.¹

¹ Sections 1002.385, 1002.39, and 1002.395, F.S.

Bullying and Harassment

Florida law prohibits bullying or harassment of any student or employee of a public K-12 educational institution,² and requires each school district to adopt and review, at least every 3 years, a policy prohibiting bullying and harassment of a student or employee of a public K-12 educational institution.³

Currently, the School Environmental Safety Incident Reporting (SESIR) System requires all public school districts, including charter schools and traditional public schools, to report 26 types of serious safety incidents. SESIR provides data on incidents that occur, statewide and by school district, on school grounds, on school transportation, and at off-campus, school-sponsored events.⁴

Motor Vehicle Taxes

Florida sales and use tax, plus any applicable discretionary sales surtax, is due at the rate of six percent on all new or used motor vehicles sold, leased, delivered into, imported into, or used in Florida, unless a specific exemption applies.⁵

Effect of Proposed Changes

Purpose and Student Eligibility

The bill creates the Hope Scholarship Program (HSP) to provide the parent of a public school student who was subjected to battery; harassment; hazing; bullying; kidnapping; physical attack; robbery; sexual offenses, harassment, assault or battery; threat or intimidation; or fighting, an opportunity to transfer the student to another public school or to request and receive from the state a scholarship for the student to attend an eligible private school. The bill also specifies that a hope scholarship must remain in force until the student returns to public school or graduates from high school, whichever occurs first.

School District Obligations

The bill provides that upon receipt of a report of a specified incident, the school principal must provide a copy of the report to the parent and investigate the incident to determine if the incident must be reported as required by law.⁶ Upon conclusion of the investigation or within 15 days after the incident was reported, whichever occurs first, the school district must notify the parent of the HSP and offer that parent an opportunity to enroll his or her student in another public school or to request and receive a scholarship to attend an eligible private school, subject to available funding.

² Section 1006.147(2), F.S.

³ Section 1006.147(4), F.S.

⁴ *Id.*

⁵ Sections 212.02, 212.05, 212.07, 212.08, F.S.; Rule 12A-1.007, F.A.C.; see *Florida Department of Revenue, Sales and Use Tax on Motor Vehicles*, available at http://floridarevenue.com/Forms_library/current/gt800030.pdf.

⁶ Section 1006.09 provides the duties of a school principal relating to student discipline and school safety.

Parent and Student Responsibilities

The bill requires a parent to apply for the admission of his or her student to an eligible private school, inform the student's school district when the parent withdraws his or her student to attend an eligible private school, and ensure that the student takes norm-referenced assessments offered by the private school or the standard statewide assessments. The bill specifies that a parent who fails to comply with the responsibilities established in the bill forfeits the scholarship and that each parent and student has an obligation to comply with the private school's published policies, including attendance.

Private School Eligibility

The bill specifies that an eligible private school may be sectarian or nonsectarian and must comply with all requirements for private schools to participate in state school choice scholarship programs.

Department of Education Obligations

The bill requires the Department of Education (DOE) to follow all requirements in law with respect to state school choice scholarship programs.⁷ Additionally, the bill requires the DOE to contract with an independent entity to provide an annual evaluation of the HSP, which includes a review of the school climate and code of student conduct at specified public schools to determine best practices and areas for improvement involving reporting, investigating, and communicating a parent's and student's rights. The bill directs the annual evaluation to survey participating parents and students and review student participation.

Scholarship Funding Organization Responsibilities

The bill requires scholarship funding organizations (SFOs) to establish and distribute HSP scholarships for eligible students, notify parents and students regarding the HSP, and submit quarterly and annual reports to the DOE. Additionally, the bill requires the auditor general to conduct an annual operational audit of each SFO that participates in the program.

Funding

The bill provides that the maximum amount awarded to a student enrolled in an eligible private school must be determined as a percentage of the unweighted full-time equivalent funding amount for that state fiscal year and thereafter as follows:

- 88 percent for a student enrolled in kindergarten through grade 5.
- 92 percent for a student enrolled in grade 6 through grade 8.
- 96 percent for a student enrolled in grade 9 through grade 12.

The bill limits the maximum amount awarded to a student enrolled in a Florida public school located outside of the district to \$750.

⁷ The bill references section 1002.421, F.S. This statute is also revised in CS/HB 7055, sections 20-22, 25.

Hope Scholarship Program Tax Credit

The bill specifies that the HSP is funded by taxpayers who make an eligible contribution, limited to a single \$105 payment, at the time of a vehicle purchase or registration in Florida and authorizes a credit of 100 percent of the amount of such eligible contribution by the taxpayer against the sales and use tax on the vehicle purchase or registration. Additionally, the bill includes accountability provisions to specify that a person who, with intent to unlawfully deprive or defraud the program of its moneys or the use or benefit thereof, fails to remit a contribution collected under the HSP is guilty of the theft of charitable funds and punishable as specified in law.

Rulemaking

The bill authorizes the State Board of Education and the Department of Revenue to adopt rules to administer the bill.

State School Choice Scholarship Program Accountability

Present Situation

Florida law has established various scholarship programs to promote school choice and assist parents in the placement of their children in diverse educational settings, including private schools.⁸ Currently, the three state school choice scholarship programs available to students to attend private schools in the state include the Florida Tax Credit (FTC) Scholarship Program, the John M. McKay (McKay) Scholarship for Students with Disabilities Program, and the Gardiner Scholarship Program.⁹

A private school that chooses to participate in a state scholarship program must comply with certain statutory requirements, such as meeting the applicable state and local health, safety, and welfare laws, code, and rules; employing teachers who meet specified requirements; and demonstrating fiscal soundness and accountability.¹⁰

Accordingly, a private school that chooses to participate in a state scholarship program must submit to the Department of Education (DOE) a Scholarship Compliance Form,¹¹ and has 60 days to resolve any outstanding compliance issues, if applicable.¹² To renew the school's eligibility for participation in a state scholarship program, the participating private school must

⁸ Sections 1002.385, 1002.39, and 1002.395, F.S.

⁹ *Id.*

¹⁰ Section 1002.421, F.S.; *see also* ss. 1002.385, 1002.39, and 1002.395, F.S.

¹¹ The Scholarship Compliance Form delineates private school reporting requirements specified pursuant to Section 1002.42, F.S., and statutory and regulatory requirements related to the areas of school location and contact information; school ownership; affiliation; financial solvency; school administration; school staffing; school program; student health, safety, and welfare; student records; school facility; and submission of the scholarship compliance form. Rule 6A-6.03315(4), F.A.C.

¹² Rule 6A-6.03315(3), F.A.C.

submit the Scholarship Compliance Form, Private School Annual Survey,¹³ and fiscal soundness documentation.¹⁴

Site Visits

Currently, the DOE:

- May not make more than 7 site visits each year to private schools that participate in the FTC scholarship program.¹⁵ However, the department may make additional site visits at any time to a school that has received a notice of noncompliance or a notice of proposed action within the previous two years.¹⁶
- May not make more than 3 random visits each year and may not make more than 1 random visit each year to the same private school that participates in the McKay Scholarship Program.¹⁷

The Gardiner Scholarship Program requirements do not address site visits.

Teacher Qualifications

A private school that participates in a state scholarship program must employ or contract with teachers who:¹⁸

- Hold baccalaureate or higher degrees;
- Have at least 3 years of experience in public or private schools; or
- Have special skills, knowledge, or expertise that qualifies them to provide instruction in subjects taught.

Safety Inspection Reporting Requirements

Florida law specifies the requirements for private schools to participate in state school choice scholarship programs.¹⁹ The requirements include, but are not limited to, fire safety and building safety.²⁰

Currently, fire safety inspections of the private schools that participate in state scholarship programs are conducted by local fire departments.²¹ The fire safety inspection reports are submitted by the private schools to the DOE.²²

¹³ The Department of Education must organize, maintain, and annually update a database of educational institutions within the state coming within the provisions of this section. There must be included in the database of each institution the name, address, and telephone number of the institution; the type of institution; the names of administrative officers; the enrollment by grade or special group (e.g., career education and exceptional child education); the number of graduates; the number of instructional and administrative personnel. Section 1002.42(2)(a), F.S.

¹⁴ Fiscal soundness is demonstrated by filing with the Department of Education a surety bond or letter of credit for the amount equal to the scholarship funds for any quarter. Section 1002.421(f)(1), F.S.

¹⁵ Section 1002.395(9)(n)1., F.S.

¹⁶ Section 1002.395(9)(n)1., F.S.

¹⁷ Section 1002.385(6)(f)1., F.S.

¹⁸ Section 1002.421(2)(h), F.S.

¹⁹ Section 1002.421, F.S.

²⁰ *Id.* at (2)(g), F.S.

²¹ Email, Florida Department of Education (Jan. 11, 2018); *see also* Rule 6A-6.03315(4), F.A.C.

²² *Id.*

Financial Reporting Requirements

Florida law specifies financial reporting requirements for private schools and scholarship funding organizations (SFOs).

A private school that participates in the FTC scholarship program must provide a report from an independent certified public accountant, who performs the agreed-upon procedures developed pursuant to the law if the private school receives more than \$250,000 in funds in a state fiscal year from that scholarship program.²³ Florida law specifies a similar provision for the Gardiner Scholarship Program.²⁴

SFOs administer both the FTC scholarship program and the Gardiner Scholarship Program.²⁵ Currently, under the FTC scholarship program, an SFO must participate in the joint development of agreed-upon procedures to be performed by an independent certified accountant if the SFO provided more than \$250,000 in scholarship funds to an eligible private school under the FTC scholarship program during the 2009-2010 state fiscal year.²⁶

Effect of Proposed Changes

The bill clarifies and strengthens the accountability provisions for private schools that participate in state school choice scholarship programs; and consolidates common provisions regarding private school participation requirements, the DOE's obligations, and commissioner's authority under s. 1002.421, F.S.

Site Visits

The bill:

- Requires the DOE to conduct site visits to private schools entering a scholarship program for the first time and specifies that beginning with the 2019-2020 school year, a private school is not eligible to receive scholarship payments until a satisfactory site visit has been conducted and the private school is in compliance with the specified requirements in law.
- Authorizes the DOE to conduct site visits to any school participating in a scholarship program that has received a complaint about a violation of state law or State Board of Education rule or has received a notice of noncompliance or a notice of proposed action within the previous 2 years.

Teacher Qualifications

The bill modifies the private school eligibility requirements for participation in state scholarship programs to require such schools to publish on the schools' websites, or in a written format, information for parents regarding the school including, but not limited to, programs, services, and the qualifications of classroom teachers.

²³ Section 1002.395(8)(e), F.S.

²⁴ Section 1002.385(8)(e), F.S.

²⁵ Sections 1002.385 and 1002.395, F.S.

²⁶ Section 1002.395(6)(o)1.a., F.S.

Safety Inspection Reporting Requirements

The bill requires the DOE to coordinate with the State Fire Marshal to obtain access to fire inspection reports for private schools. The bill specifies that the authority conducting the fire safety inspection must certify to the State Fire Marshal, electronically or by means directed by the State Fire Marshal, that the annual inspection has been completed and that the private school is in full compliance.

Financial Reporting Requirements

The bill requires a private school that receives more than \$250,000 in a state fiscal year from any state scholarship program to submit an annual financial report from an independent certified public accountant to the SFO or the DOE, as applicable.

The bill also clarifies the conditions for ineligibility for private schools to participate in state scholarship programs and requires the owner or operator of a private school to meet the same background screening requirements as owners of SFOs, and report results to the DOE.

Reading Instruction and Scholarship

Present Situation

Any student in kindergarten through grade 3 who exhibits a substantial deficiency in reading based upon screening, diagnostic, progress monitoring, or assessment data; statewide assessments; or teacher observations must be provided intensive, explicit, systematic, and multisensory reading interventions immediately following the identification of the reading deficiency.²⁷ A school may not wait for a student to receive a failing grade at the end of a grading period to identify the student as having a substantial reading deficiency and initiate intensive reading interventions.²⁸ The student's reading proficiency must be monitored and the intensive interventions must continue until the student demonstrates grade level proficiency in a manner determined by the district, which may include achieving a Level 3 on the statewide, standardized English Language Arts (ELA) assessment.²⁹

To be promoted to grade 4, a student must score a Level 2 or higher on the statewide, standardized ELA assessment required for grade 3.³⁰ The parent of any student who exhibits a substantial deficiency in reading, must be notified in writing of information specified in law such as a description of current services that are provided to the child and a description of the proposed intensive interventions and supports that will be provided to the child that are designed to remediate the identified area of reading deficiency.³¹

²⁷ Section 1008.25(5)(a), F.S.

²⁸ *Id.*

²⁹ *Id.* "Achievement level," "student achievement," or "achievement" describes the level of content mastery a student has acquired in a particular subject as measured by a statewide, standardized assessment administered pursuant to s. 1008.22(3)(a) and (b). There are five achievement levels. Level 1 is the lowest achievement level, level 5 is the highest achievement level, and level 3 indicates satisfactory performance. A student passes an assessment if the student achieves a level 3, level 4, or level 5. Section 1008.34(1)(a), F.S.

³⁰ Section 1008.25(5)(b), F.S.

³¹ *Id.* at (5)(c), F.S.

Each school district that has one or more of the 300 lowest-performing elementary schools based on the state reading assessment for the prior year must use supplemental academic instruction funds, along with the funds provided in the district's research-based reading instruction allocation³² and other available funds, to provide an additional hour of instruction beyond the normal school day for each day of the entire school year for intensive reading instruction for the students in each of these schools.³³ The additional hour of instruction must be provided by teachers or reading specialists who have demonstrated effectiveness in teaching reading or by a K-5 mentoring reading program that is supervised by a teacher who is effective at teaching reading.³⁴ Students enrolled in these schools who have level 5 assessment scores may participate in the additional hour of instruction on an optional basis.³⁵

The designation of the 300 lowest-performing elementary schools must be based on the state reading assessment for the prior year.³⁶ After this requirement has been met, supplemental instruction strategies may include, but are not limited to: use of a modified curriculum, reading instruction, after-school instruction, tutoring, mentoring, a reduction in class size, extended school year, intensive skills development in summer school, and other methods of improving student achievement.³⁷ Supplemental instruction may be provided to a student in any manner and at any time during or beyond the regular 180-day term identified by the school as being the most effective and efficient way to best help that student progress from grade to grade and to graduate.³⁸

Effect of Proposed Changes

The bill establishes reading scholarship accounts to provide educational options for students, and specifies that each student in grades 3 through 5 who is enrolled in a Florida public school is eligible for the reading scholarship if the student scored below a Level 3 on the grade 3 or grade 4 statewide, standardized ELA assessment in the prior school year. The eligibility requirements for students in grade 3 may apply to students who scored Level 1 on the grade 3 ELA assessment in the prior school year and were retained in grade 3. The bill authorizes an eligible nonprofit scholarship-funding organization (SFO) participating in the Florida Tax Credit Scholarship to establish reading scholarship accounts for eligible students.

³² The research-based reading instruction allocation is created to provide comprehensive reading instruction to students in kindergarten through grade 12. Section 1011.62(9)(a), F.S.

³³ Section 1011.62(1)(f)2., F.S. The intensive reading instruction delivered in the additional hour and for other students must include: research-based reading instruction that has been proven to accelerate progress of students exhibiting a reading deficiency; differentiated instruction based on screening, diagnostic, progress monitoring, or student assessment data to meet students' specific reading needs; explicit and systematic reading strategies to develop phonemic awareness, phonics, fluency, vocabulary, and comprehension, with more extensive opportunities for guided practice, error correction, and feedback; and the integration of social studies, science, and mathematics-text reading, text discussion, and writing in response to reading. Section 1011.62(9)(a), F.S. Funds for comprehensive, research-based reading instruction must be allocated annually to each school district in the amount provided in the General Appropriations Act (GAA). Each eligible school district must receive the same minimum amount as specified in the GAA, and any remaining funds must be distributed to eligible school districts based on each school district's proportionate share of K-12 base funding. Section 1011.62(9)(b), F.S.

³⁴ Section 1011.62(1)(f)2., F.S.

³⁵ *Id.*

³⁶ *Id.*

³⁷ *Id.*

³⁸ *Id.*

The reading scholarship account is designed for the eligible SFO to reimburse the eligible students' parents for qualifying expenditures which may include instructional materials; curriculum; tuition and fees for part-time tutoring services provided by a person who holds a baccalaureate or graduate degree in the subject area, who holds an adjunct teaching certificate, or who has a demonstrate mastery of subject area knowledge; fees for summer education programs; after-school education programs; specialized services by approved providers or by a hospital in the state which is selected by the parents including, but not limited to, services provided by speech language pathologists, occupational therapists, and physical therapists.

The bill also specifies responsibilities for parents of eligible students, school districts, Department of Education, and eligible SFOs.

Finally, the bill provides that no state liability arises from the award or use of the reading scholarship account.

Charter Schools

Present Situation

Charter School Application Process

Florida law establishes an application and review process for establishing a new charter school.³⁹ After a charter school application is approved by the sponsor, the initial startup commences with the beginning of the public school calendar for the district in which the charter is granted.⁴⁰ A charter school may defer the opening of the school's operations for up to 2 years to provide time for adequate facility planning.⁴¹

Charter Contract Term and Consolidation

The initial term of a charter contract is for 4 or 5 years.⁴² A charter contract may be modified by the consolidation of multiple charters into a single charter if the charters are operated under the same governing board and physically located on the same campus, regardless of the renewal cycle.⁴³

Due Process

A charter school sponsor is authorized to not renew or terminate a charter contract for one of the following reasons:⁴⁴

- Failure to participate in the state's educational accountability system or meet student performance requirements.
- Failure to meet generally accepted standards of fiscal management.
- Violation of law.
- Other good cause shown.

³⁹ Section 1011.62(6)(a), F.S.

⁴⁰ Section 1002.33(6)(b)3.c.5., F.S.

⁴¹ *Id.* at (6), F.S.

⁴² *Id.* at (6)(a)12., F.S.

⁴³ *Id.* at (7)(d), F.S.

⁴⁴ *Id.* at (8)(a), F.S.

At least 90 days before a nonrenewal or termination of a charter contract, the sponsor must notify the governing board of the charter school of the proposed action in writing.⁴⁵ The notice must state in reasonable detail the grounds for the proposed action, and stipulate that the school's governing board may, within 14 days after receiving the notice, request a hearing to be conducted by the sponsor or an administrative law judge assigned by the Division of Administrative Hearings, at the sponsor's election.⁴⁶ If the sponsor conducts the hearing, the sponsor must decide upon nonrenewal or termination by majority vote and such decision is the final order.⁴⁷ If the sponsor chooses to have a hearing conducted by an administrative law judge, the judge must submit a recommended order to the sponsor.⁴⁸ A majority vote by the sponsor must be required to adopt or modify the administrative law judge's recommended order.⁴⁹ The sponsor must issue a final order.⁵⁰

Florida law also authorizes a dispute resolution hearing before the Charter School Appeal Commission⁵¹ if goods and services are made available to the charter school through the contract with the school district.⁵²

High-Performing Charter School Designation, Replication, and Facility Capacity

Charter schools and operators of systems of charter schools with a track record of academic excellence and financial stability may earn "high-performing" status.⁵³ A high-performing charter school is a charter school that during each of the three previous years:⁵⁴

- Received at least two school grades of "A" and no school grade below "B;"
- Has received an unqualified opinion⁵⁵ on each annual financial audit; and
- Has not received an annual financial audit that reveals a financial emergency condition in the most recent 3 fiscal years for which the audits are available.⁵⁶

Among other benefits, the operator of a high-performing charter school may submit a streamlined application in any Florida school district to establish and operate a new charter school that substantially replicates its educational program.⁵⁷ A high-performing charter school may not be replicated more than once within the state in any given year and may not replicate again until each charter school established achieves "high-performing" status.⁵⁸

⁴⁵ *Id.* at (8)(b), F.S.

⁴⁶ *Id.*

⁴⁷ *Id.* at (8)(b)1., F.S.

⁴⁸ *Id.* at (8)(b)2., F.S.

⁴⁹ Section 1002.33(8)(b)2., F.S.

⁵⁰ *Id.*

⁵¹ The Charter School Appeal Commission Members are appointed by the Commissioner of Education. One-half of the members represent currently operating charter schools, and one half of the members represent sponsors. Section 1002.33(6)(e)3., F.S.

⁵² Section 1002.33(20)(b), F.S.

⁵³ Section 1002.331(1), F.S. provides the eligibility criteria for the "high-performing" designation.

⁵⁴ Section 1002.331(1), F.S.

⁵⁵ An unqualified audit opinion means that the charter school's financial statements are materially correct. Telephone interview with Florida Auditor General staff (Mar. 24, 2011).

⁵⁶ *See* s. 218.503(1), F.S. (financial emergency conditions).

⁵⁷ Section 1002.331(3)(a)1., F.S.

⁵⁸ *Id.* at (3)(b), F.S.

A “high-performing” charter school is also authorized to increase its enrollment once per school year to more than the capacity identified in the charter school contract.⁵⁹ However, student enrollment may not exceed current facility capacity.⁶⁰

School Leader Preparation Programs

School leader preparation programs are intended to enable aspiring school leaders to obtain a certificate in educational leadership.⁶¹ School leader preparation programs must be competency-based, aligned to the principal leadership standards adopted by the State Board of Education, and open to individuals employed by public schools, including charter schools and virtual schools.⁶² The Department of Education is required to establish a process for the approval of Level I and Level II school leader preparation programs.⁶³ There are two types of such programs:⁶⁴

- Level I programs may be offered by school districts and postsecondary institutions and lead to initial certification in educational leadership to prepare individuals to serve as school administrators.
- Level II programs may be offered by school districts, build upon Level I training, and lead to renewal certification as a school principal.

Effect of Proposed Changes

Charter School Application Process

The bill extends, from 2 years to 3 years, the authority of charter schools to defer the opening of a school’s operations.

Charter Contract Term and Consolidation

The bill extends the initial term of a charter contract from 4 or 5 years, as specified in law, to 5 years, excluding 1 planning year.

The bill authorizes a charter school to consolidate, during any term, multiple charters that are not in the same physical location into a single charter if the charters are operated under the same governing board, regardless of the renewal cycle. The bill requires the school district to report a charter school with a grade “C” or higher that closes as part of a consolidation, as a consolidation.

Due Process

The bill revises the sponsor’s authority to not renew or terminate a charter contract to specify that the sponsor may do so only after finding clear and convincing evidence of the disqualifying grounds specified in law.⁶⁵ The bill also modifies such disqualifying grounds to provide that a violation of law must be material.

⁵⁹ *Id.* at (2)(a), F.S.

⁶⁰ *Id.*

⁶¹ Section 1012.562, F.S.

⁶² *Id.*

⁶³ Section 1012.562, F.S.

⁶⁴ *Id.*

⁶⁵ Such grounds are provided in section 1002.33(8)(a), F.S.

The bill eliminates the opportunity for a charter school governing board to request a direct hearing before the sponsor based on the nonrenewal or termination of its charter contract, effectively providing that such hearing must be before an administrative law judge. The bill also deletes the requirement that a recommended order of an administrative law judge be adopted or modified by the sponsor and requires the administrative law judge to award reasonable attorney fees and costs to the prevailing party.

The bill also modifies the process by which the charter school can resolve disputes over contracted goods and services by eliminating the dispute resolution hearing before the Charter School Appeal Commission. Instead, the bill authorizes a party to appeal to an administrative law judge appointed by the Division of Administrative Hearings, who is granted final order authority to rule on the dispute. The bill provides that the prevailing party must be awarded reasonable attorney fees and costs incurred during the mediation process, administrative proceeding, and any appeals.

High-Performing Charter School Designation, Replication, and Facility Capacity

The bill revises the criteria for determining a high-performing charter school by also allowing a school that receives two consecutive grades of “A” to be determined a high-performing charter school. For schools qualifying under this provision, the bill revises the financial eligibility requirements to require only 2 years of financial audits that received an unqualified opinion and no state of financial emergency. The bill also specifies that a high-performing charter school system must comply with application requirements for such systems, in addition to requirements for high-performing charter schools.

The bill also authorizes a high-performing charter school to replicate to two charter schools within the state in any year.

The bill specifies that student enrollment may not exceed capacity of the facility at the time of enrollment, effectively allowing a high-performing charter school that has expanded its original facility or has access to additional facilities, to increase student enrollment without being limited to the original facility’s capacity.⁶⁶

School Leader Preparation Programs

The bill adds charters schools and charter management organizations to the entities authorized to offer Level I or Level II school leader preparation programs.

Autonomous Schools and Independent Boards

Present situation

Principal Autonomy Program

In 2016,⁶⁷ the Legislature established the Principal Autonomy Pilot Program Initiative (PAPPI) within the Department of Education (DOE) to provide the highly effective principal of a

⁶⁶ The bill provides that facility capacity for purposes of grade level expansion must include any improvements to an existing facility or any new facility in which a majority of the students of the high-performing charter school will enroll.

⁶⁷ Chapter 2016-223, L.O.F.

participating school with increased autonomy and authority to operate schools in a way that improves student achievement and school management.⁶⁸ The PAPPI was initially launched in 7 school districts (Broward, Duval, Jefferson, Madison, Palm Beach, Pinellas, and Seminole Counties) and an evaluation of the performance of all participating schools is required at the end of the 3 years.⁶⁹ A participating school is exempt from the school code except for specified laws related to assessments, civil rights, students with disabilities, compensation and salary schedules, educational facilities, and other topics.⁷⁰ School districts are authorized to participate in the PAPPI for a period of 3 years upon approval of the principal autonomy proposal and are required to submit an annual report to the State Board of Education.⁷¹

Effect of Proposed Changes

Principal Autonomy Program Initiative

Beginning with the 2018-2019 school year, the bill expands the principal autonomy program from a pilot authorized for three 3 years in 7 school districts to a statewide program. The bill also deletes the requirement for a 3-year evaluation of program effectiveness to be performed by the Commissioner of Education and annual reporting requirements for participating schools. The bill specifies that a school retains the exemptions from law provided in the Principal Autonomy Program Initiative (PAPI) as long as the school maintains a grade of “B” or higher.

District-Independent Autonomous Schools and Independent Governing Boards

The bill establishes district-independent autonomous schools to expand the impact of principals participating in the principal autonomy program to manage multiple schools under an independent governing board.

The bill also authorizes a district school superintendent to recommend the organization and operation of schools by an independent governing board, which are required to operate in accordance with the contract between the independent governing board and the district school board and the exemptions in law provided in the PAPI. The bill specifies that a school retains such exemptions from law beyond the term of the PAPI as long as the school maintains a grade of “B” or higher.

The bill authorizes a principal participating in the PAPI who successfully completes specified training to manage one or more schools that are operated by an independent governing board through a contract with the school board. The bill specifies that members of the governing board may not be employees of the school district or any school operated by the governing board. The bill also specifies that the salary supplement for each eligible participating principal may not exceed \$10,000 for three years.

The bill provides that for tort liability purposes, the independent governing board, district-independent autonomous school, and its employees are governed by the waiver of state sovereign

⁶⁸ Section 1011.6202, F.S.

⁶⁹ *Id.* at (1).

⁷⁰ Section 1011.6202(3)(b), F.S.

⁷¹ Section 1011.6202(5) and (6), F.S.

immunity contained in law.⁷² Additionally, the bill clarifies that the school board is not liable for civil damages under state law for the employment action or personal injury, property damage, or death resulting from an act or omission of an independent governing board, district-independent autonomous school, and its employees or agents.

Additionally, the bill provides that the district-independent autonomous school may be a private or public employer. The bill specifies that as a public employer, the district-independent autonomous school may participate in the Florida Retirement System upon application and approval as a covered group. If a district-independent autonomous school participates in the Florida Retirement System (FRS), the autonomous school's employees must be compulsory members of the FRS.

District School Board Oversight and Responsibility

Present Situation

Investigation and Audit Requirements

The Auditor General (AG) or a Certificated Public Accountant (CPA) is required to perform annual financial audits of district school board, the scope of which includes an examination of the financial statements, the issuance of a report on compliance and internal control in accordance with generally accepted government auditing standards, and the issuance of a report on compliance and internal control for each major Federal program.⁷³ The AG also conducts operational audits of district school boards in accordance with Government Auditing Standards at least every 3 years.⁷⁴ Operational audits must include an evaluation of management's performance in establishing and maintaining internal controls, including controls designed to prevent and detect fraud, waste, and abuse, and in administering assigned responsibilities.⁷⁵

The Department of Education's (DOE's) Inspector General is responsible for promoting accountability, efficiency, and effectiveness and detecting fraud and abuse within school districts.⁷⁶ If the Commissioner of Education (commissioner) determines that the district school board is unwilling or unable to address substantiated allegations made by any person relating to waste, fraud, or financial mismanagement, the office must conduct, coordinate, or request investigations into such substantiated allegations.⁷⁷

Currently, district school boards are permitted, but not required to employ an internal auditor to perform ongoing financial verification of the financial records of the school district.⁷⁸

⁷² Section 768.28, F.S. provides the specifications of the waiver of sovereign immunity in tort actions.

⁷³ State of Florida Auditor General, *Summary of Significant Findings and Financial Trends Identified in District School Board Audit Reports for the Fiscal Year Ended June 30, 2016*, at 1, available at https://flauditor.gov/pages/pdf_files/2018-030.pdf. Section 11.45(1)(c), F.S.

⁷⁴ *Id.* Section 11.45(2)(f), F.S.

⁷⁵ *Id.* at (1)(g).

⁷⁶ Section 1001.20(4)(e), F.S.

⁷⁷ *Id.*

⁷⁸ Section 1001.42(12)(l), F.S.

Budget, Expenditures, and Financial Disclosure Requirements

District School Board Budget

Florida law requires district school boards to prepare, adopt, and submit an annual budget to the commissioner,⁷⁹ and post a plain language version of each proposed, tentative, and official budget on their website and describe each budget item in terms that are easily understandable to the public.⁸⁰

Expenditures

Florida law provides that district school board expenditures must be limited to amounts budgeted and no expenditures can be authorized or obligations incurred in excess of the budgetary appropriation.⁸¹ However, a district school board may establish policies that allow expenditures to exceed amounts budgeted if the district school board approves the expenditure and amends the budget.⁸²

Financial Disclosure

Currently, the Commission on Ethics (COE or commission) determines whether a person owing a public financial disclosure fine is a public officer or public employee.⁸³ If the COE determines that the person is a current public officer or public employee, the commission may notify the Chief Financial Officer (CFO) or governing body of the amount owed.⁸⁴

Lobbying, Travel, and Compensation

Lobbying

A person who has been elected to a school district office may not personally lobby the school district for compensation for a period of 2 years after vacating that office.⁸⁵

Travel

Each member of a district school board is allowed, from the district school fund, reimbursement of travel expenses as authorized in law.⁸⁶ Any travel outside the district is governed by the rules of the State Board of Education.⁸⁷

⁷⁹ Section 1011.01(3)(a), F.S.

⁸⁰ Section 1011.035(2), F.S.

⁸¹ Section 1011.06, F.S. It is the duty of the superintendent and district school board to take whatever action is necessary during the fiscal year to keep expenditures and obligations within the budgeted income. Rules 6A-1.007(1) and 6A-1.007(2), F.A.C. The school board must approve amendments to the budget whenever budget changes occur. *Id.*

⁸² Section 1011.06(2), F.S.

⁸³ Sections 112.3144(5) and (7), and 112.3145(7), F.S.

⁸⁴ S. 112.31455(1), F.S.

⁸⁵ Section 112.313(14), F.S.

⁸⁶ Section 1001.39(1), F.S. Florida law establishes standard travel reimbursement rates, procedures, and limitations. Section 112.061, F.S.

⁸⁷ Rule 6A-1.056, F.A.C.

Compensation

Each member of the district school board receives a base salary based on the population of the county the district school board member serves.⁸⁸ However, for the 2010-2011 fiscal year, the salary of each district school board member is the amount calculated based on district population or the district's beginning salary for teachers who hold baccalaureate degrees, whichever is less.⁸⁹

Equity in School Level Funding

Title I, Part A of the Elementary and Secondary Education Act, provides federal funds to LEAs and schools with high numbers or high percentages of children from low-income families to help ensure that all children meet challenging state academic standards.⁹⁰ In 2017, the Legislature amended the equity in school level funding act to require school districts to provide Title I funds directly to all eligible schools and limit the amount the district may withhold as follows:⁹¹

- One percent for parent involvement.
- A necessary and reasonable amount for administration not to exceed eight percent.
- A reasonable and necessary amount to provide:
 - Homeless programs;
 - Delinquent and neglected programs;
 - Prekindergarten programs and activities;
 - Private school equitable services; and
 - Transportation for foster care children to their school of origin or choice program.

After providing Title I funds to schools above the 75 percent poverty threshold, the district must distribute all remaining Title I funds to all eligible schools in accordance with federal law and regulation.⁹²

District School Tax

Each district school board may levy up to 1.5 mills against the taxable value for fixed capital outlay for district schools, including charter schools at the discretion of the school board, to be used for purposes specified in law.⁹³ Additionally, district school boards are authorized to withhold an administrative fee for certain administrative and educational services provided to charter schools.⁹⁴

⁸⁸ Section 1001.395(1), F.S.

⁸⁹ *Id.* at (3).

⁹⁰ U.S. Department of Education, *Improving Basic Programs Operated by Local Educational Agencies (Title I, Part A)*, <https://www2.ed.gov/programs/titleiparta/index.html?exp=0> (last visited Feb. 18, 2018).

⁹¹ Section 1011.69(5), F.S.

⁹² *Id.*

⁹³ Section 1011.71(2), F.S.

⁹⁴ Section 1002.33(20)(a)2., F.S.

Charter School Capital Outlay Funding

Florida law provides that charter school capital outlay funding must consist of revenue which results from the discretionary millage district school boards are authorized to levy,⁹⁵ and state funds when such funds are appropriated in the General Appropriations Act.⁹⁶

District Personnel Policies

A district school board member may not employ or appoint a relative to work under his or her direct supervision.⁹⁷

Disposal of Property

Florida law requires that tangible personal property that has been properly classified as surplus by a district school board or Florida College System institution board of trustees to be disposed of in accordance with disposal procedures contained in law.⁹⁸

Construction Flexibility

A district school board may, with a supermajority vote at a public meeting that begins no earlier than 5 p.m., adopt a resolution to implement one or more of the exceptions to the educational facilities construction requirements specified in law.⁹⁹

Before voting on the resolution, a district school board must conduct a cost-benefit analysis prepared according to a professionally accepted methodology that describes how each exception selected by the district school board achieves cost savings, improves the efficient use of school district resources, and impacts the life-cycle costs and life span for each educational facility to be constructed, as applicable, and demonstrates that implementation of the exception will not compromise student safety or the quality of student instruction.¹⁰⁰ The district school board must conduct at least one public workshop to discuss and receive public comment on the proposed resolution and cost-benefit analysis.¹⁰¹

District school boards may adopt a resolution to implement exceptions to requirements of the uniform statewide building code for the planning and construction of public educational and ancillary plants adopted pursuant to Florida law relating to:¹⁰²

- Interior non-load-bearing walls, by approving the use of fire-rated wood stud walls;
- Paved walkways, roadways, driveways, and parking areas, by approving the use of designated, stabilized, and well-drained gravel or grassed student parking areas;
- Standards for relocatables used as classroom space, by approving construction specifications for installation of relocatable buildings that do not have covered walkways leading to the permanent buildings onsite; and
- Site lighting by approving construction specifications regarding site lighting.

⁹⁵ Section 1011.71(2), F.S. authorizes district school boards to levy specified discretionary millage.

⁹⁶ Section 1012.62(2), F.S.

⁹⁷ Section 1012.23(2), F.S.

⁹⁸ Section 1013.28(2)(a), F.S.

⁹⁹ Section 1013.385(1), F.S.

¹⁰⁰ *Id.*

¹⁰¹ *Id.*

¹⁰² Section 1013.385(2), F.S.

District school boards must adhere to the State Requirements for Educational Facilities (SREF),¹⁰³ the uniform statewide building code for the planning and construction of public educational and ancillary plants, when planning and constructing educational facilities and ancillary plants. Facilities for non-conversion charter schools must meet the requirements of the uniform statewide building code, except for the SREF.¹⁰⁴

Effect of Proposed Changes

Investigation and Audit Requirements

The bill specifies responsibilities for the AG, the DOE, district school boards, and district school superintendents.

The bill requires the AG to contact each district school board regarding operational audit findings and recommendations, and to contact the Legislative Auditing Committee (LAC) about a district school board's failure or inability to comply within the specified timeframe. The bill requires the DOE's Office of Inspector General to investigate allegations or reports of possible fraud or abuse against a district school board by any member of the Cabinet, presiding officer of the Legislature, Chair of a substantive committee with jurisdiction, or the member of a board for which an investigation is sought.

Additionally, the bill requires the DOE to contract with an independent third party to conduct an investigation of all accounts and records if certain financial conditions existed in the 2015-2016 school year or thereafter. Such investigation must include a detailed review and analysis of specified documents and the results of the investigation must include recommendations for corrective action and controls to avoid a reoccurrence of future budget shortfalls. A final report must be provided to the district, DOE, LAC, and the district's financial emergency board, if applicable.

Additionally, the bill requires district school boards to:

- Provide evidence of the initiation of corrective action within 45 days after the date the action is requested by the AG and the evidence of completion of such action within 180 days.
- Employ an internal auditor to perform specified duties including the oversight of every functional and program area of the school system, if a school district receives more than \$500 million annually in federal, state, and local funds.
- Conduct an audit overview at a public meeting if an audit contains a significant deficiency or material weakness, including the corrective action to be taken and a timeline for the completion of such action.

The bill also authorizes an individual school board member to request budget documents and related information, which must be provided to such board member.

¹⁰³ Rule 6A-2.0010, F.A.C.

¹⁰⁴ Section 1002.33(18)(a), F.S.

The bill also requires the district school superintendent to reduce the district's administrative expenditures if a school district's approved operating budget general fund falls below 3 percent of projected general revenue funds for two consecutive fiscal years.

Budget, Expenditures, and Financial Disclosure Requirements

District School Board Budget

The bill adds to the school district's budget reporting requirements, which must be published on the district's website, to include graphical representations, for each public school within the district, of a summary financial of efficiency data and 3-year fiscal trend information on the:

- Ratio of full-time equivalent (FTE) students to FTE instructional personnel
- Ratio of FTE students to FTE administrative personnel.
- Total operating expenses per FTE student.
- Total instructional expenditures per FTE student.
- General administrative expenses as a percent of the total budget.
- Rate of change in the general fund's ending fund balance which is not classified as restricted.

The bill requires the district school board budget website to include a link to a fiscal transparency tool, to be developed by the DOE, for taxpayers to evaluate and compare the financial efficiency of school districts.

The bill also requires the district school board to provide a full explanation of any budget amendments at the board's scheduled public meeting.

Expenditures

The bill establishes a penalty that requires withholding of the salary of each school board member and district school superintendent if certain financial conditions, specified in law, exist, until such conditions are corrected.¹⁰⁵ The bill also restricts district school boards' travel expenditures under specified financial circumstances.

The bill requires the district school board to reimburse the cost of background screening for charter schools if the district school board does not notify the charter school of the employment eligibility of governing board members and instructional and noninstructional personnel within 14 days after the charter school submits the fingerprints.

Financial Disclosure

The bill:

- Adds district school boards to the entities whom the COE may contact regarding owed fines.
- Modifies collection methods for fines for failure to timely file disclosure of financial interest to require district school boards to withhold a specified amount of funding from employee salaries.
- Authorizes district school boards to retain a portion of the withheld funds to cover administrative costs.

¹⁰⁵ Section 2018.503(1), F.S. specifies such financial conditions.

Lobbying, Travel, and Compensation

Lobbying

The bill applies the restriction on lobbying for 2 years after vacating office to appointed school district superintendents,¹⁰⁶ which currently applies to locally elected school district officers.

Travel

The bill requires prior approval from the district school board for reimbursement of travel expenses for travel outside the district by a district school board member. The bill also requires a detailed, itemized list of travel-related expenses for travel outside the state, after public hearing on the request.

Compensation

The bill aligns school board member salaries with the beginning teacher salaries or the amount calculated by statute, whichever is less. In fiscal year 2016-17, the average salary for district school board member exceeded the beginning average salary for teachers in the following 12 of the 67 school districts in the state: Alachua (\$782), Broward (\$739), Dade (\$850), Duval (\$1,810), Hillsborough (\$3,554), Lee (\$1,525), Leon (\$434), Marion (\$528), Orange (\$1,091), Palm Beach (\$747), Pinellas (\$544), and Volusia (\$416).¹⁰⁷

Equity in School Level Funding

The bill clarifies that when school districts distribute Title I funds to schools above the 75 percent poverty threshold, the 75 percent may include high schools above the 50 percent threshold as permitted by federal law.

The bill also provides that a district may also withhold a necessary and reasonable amount of Title I funds, not to exceed 1 percent, for eligible schools to provide:

- Extended learning opportunities, such as summer school, before-school and after-school programs, and additional class periods of instruction during the school day; and
- Supplemental academic and enrichment services as well as wrap-around services.

The bill excludes from the above specified 1 percent cap on the amount that a district may withhold for administration, Title I funds used for district-level educational services provided by the school district.

District School Tax

The bill prohibits a district school board from withholding administrative fees authorized in law from any charter school operating in the school district if payments under a lease-purchase agreement entered into by the district school board in the aggregate, including agreements entered into before June 30, 2009, exceed three-fourths of the proceeds from the discretionary millage.

¹⁰⁶ Currently, there are 26 appointed district school superintendents and 41 elected district school superintendents. Florida Department of Education, *Florida Public School Superintendents*, <http://www.fl DOE.org/accountability/data-sys/school-dis-data/superintendents.shtml> (last visited Feb. 19, 2018).

¹⁰⁷ Email, Florida Department of Education (Feb. 19, 2018).

Charter School Capital Outlay Funding

The bill deletes the requirement that charter school capital outlay must consist of the revenue which results from the discretionary millage district school boards are authorized to levy. Instead, the bill provides that such revenue must only be included in charter school capital outlay if the amount of state funds appropriated for charter school capital outlay in any fiscal year is not equal to or is less than the average charter school capital outlay funds per unweighted full-time equivalent student for the 2018-2019 fiscal year, and adjusted by changes in the Consumer Price Index from the previous year.

The bill also requires each school district to certify to the DOE, by October 1, the amount of debt service and participation requirements that can be reduced from the total discretionary millage revenue. The bill requires the AG to verify compliance with this provision during annual school board audits.

District Personnel Policies

The bill prohibits a district school superintendent from appointing or employing a relative to work under his or her direct supervision. The bill also clarifies that the prohibition does not apply to employees appointed or employed before the election or appointment of the board member of superintendent. The bill also requires the COE to accept and investigate any alleged violations of this prohibition.

Disposal of Property

The bill requires any tangible personal property that has been properly classified as surplus, marked for disposal, or otherwise unused by a district school board to be provided for a charter school's use on the same basis as it is made available to other public schools in the district. The bill prohibits a charter school that receives such property from selling or disposing of the property without the written permission of the school district.

Construction Flexibility

The bill expands the available exceptions a district school board may adopt to include any other provisions in SREF that limit the ability of a school to operate in a facility on the same basis as a charter school. To adopt the exception, the regional planning council must determine that there is sufficient shelter capacity within the school district as documented in the Statewide Emergency Shelter Plan.¹⁰⁸

Collective Bargaining

Present Situation

Florida law authorizes employees to bargain collectively through representatives of their own choosing.¹⁰⁹ Legislative intent directs that district school boards have flexibility through the

¹⁰⁸ See s. 252.385(2)(b), F.S.

¹⁰⁹ Section 447.03, F.S.

collective bargaining process to assign teachers more equitably across the schools in the district.¹¹⁰

Every employee organization seeking to become a certified bargaining agent for public employees must submit an application for registration which must be renewed annually by filing a renewal application under oath with the Public Employees Relations Commission (commission).¹¹¹ If recognized by the public employer, the organization must immediately petition the commission for certification and the commission must certify the organization if the unit is appropriate.¹¹² The organization, if not recognized by the public employer, may file a petition for certification with the commission accompanied by signed, dated statements of 30 percent of the employees in the unit indicating a desire to be represented for collective bargaining purposes by the organization.¹¹³ The commission is required to investigate the petition for sufficiency, provide for an appropriate hearing, and if found to be sufficient, order an election by secret ballot for certification.¹¹⁴ The commission must certify an organization that is selected by a majority of employees voting in an election.¹¹⁵

Effect of Proposed Changes

The bill requires an employee organization that has been certified as the bargaining agent for a unit of instructional personnel¹¹⁶ to include the following additional information in its annual registration renewal application:

- Number of employees in the bargaining unit who are eligible for representation by the employee organization.
- Number of employees represented by the organization, specifying the number of employees who pay dues and the number of members who do not pay dues.

The bill also requires an employee organization whose dues paying membership is less than 50 percent of the employees eligible for representation by the organization to petition the commission for recertification¹¹⁷ as the exclusive representative of all employees in the unit, within 1 month after the date on which the organization applies for registration renewal. The bill specifies that the certification of an employee organization is revoked if the organization does not comply with the specified requirements.

¹¹⁰ Section 1012.2315(1), F.S.

¹¹¹ Section 447.305(1)-(2), F.S.

¹¹² Section 447.307(1)(a), F.S.

¹¹³ *Id.* at (2).

¹¹⁴ *Id.* at (3)(a), F.S.

¹¹⁵ *Id.* at (3)(b), F.S.

¹¹⁶ Instructional personnel means any K-12 staff member whose function includes the provision of direct instructional services to students or to provide direct support in the learning process of students. Section 1012.01(2), F.S.

¹¹⁷ Section 447.307(2) and (3), F.S. provide the process for employee organization certification.

Recognition of and Educational Opportunities for Members of the U.S. Military

Present Situation

Medal of Honor Day and Required Instruction

Florida law specifies required instruction for students in public schools.¹¹⁸ Instructional staff must teach specified courses of study such as:¹¹⁹

- A character development program in kindergarten through grade 12; and
- The sacrifices that veterans have made in serving our country and protecting democratic values worldwide, in order to encourage patriotism.¹²⁰

The State Board of Education (SBE) is encouraged to adopt standards and pursue assessment of specified required instruction.¹²¹

Training and Licensure

Military Training to Meet Education and Licensure Requirements

Florida law provides for the award of college credit for military training and education.¹²² Additionally, Florida law requires that for specified professions, to the fullest extent possible, military experience, training, or education must apply toward the requirements for licensure if such training is substantially similar to the experience, training, or education required for licensure.¹²³

Apprenticeship Programs

The Department of Education (DOE) is responsible for administering apprenticeship¹²⁴ and preapprenticeship¹²⁵ programs and standards.¹²⁶

Temporary Certificates

Temporary Certificate in Educational Leadership

The SBE is required to establish certification requirements for all school personnel.¹²⁷ Additionally, the SBE must adopt rules to allow an individual who meets the following criteria to be eligible for a temporary certificate in educational leadership:¹²⁸

¹¹⁸ Section 1003.42, F.S.

¹¹⁹ *Id.* at (2).

¹²⁰ Instructional staff are encouraged to use the assistance of local veterans when practicable. *Id.* at (2)(t).

¹²¹ *Id.*

¹²² Section 1004.096, F.S.

¹²³ Such requirement applies to the professions of construction contractor (s. 489.1131, F.S.), electrical contractor (s. 489.511, F.S.), and private investigation or security officer (s. 493.61035(1), F.S.).

¹²⁴ An apprenticeship program is an organized course of instruction, registered and approved by the DOE, which contains all terms and conditions for the qualifications, recruitment, selection, employment, and training of apprentices including the requirements for a written apprenticeship agreement. Section 446.021(6), F.S.

¹²⁵ A preapprenticeship program is an organized course of instruction in the public school system or elsewhere, which is designed to prepare a person 16 years of age or older to become an apprentice and which is approved by and registered with the DOE and sponsored by a registered apprenticeship program. Section 446.021(5), F.S.

¹²⁶ Section 446.041, F.S. *See ss.* 446.011 to 446.092, F.S.

¹²⁷ Section 1012.55(1)(b), F.S.

¹²⁸ *Id.* at (1)(d), F.S.

- Earn a passing score on the Florida Educational Leadership Examination;
- Document three years of successful experience in an executive management or leadership position; and
- Document receipt of a bachelor's degree or higher from an accredited institution of higher learning.

There are two types of school leader preparation programs:¹²⁹

- Level I programs may be offered by school districts and postsecondary institutions and lead to initial certification in educational leadership to prepare individuals to serve as school administrators.
- Level II programs may be offered by school districts, build upon Level I training, and lead to renewal certification as a school principal.

Temporary Educator Certificate Validity Period

Each temporary certificate is valid for 3 school fiscal years and is nonrenewable.¹³⁰ The SBE may authorize the DOE in rule to extend the validity period of a temporary certificate for 2 years when the requirements for the professional certificate¹³¹ were not completed due to the serious illness or injury of the applicant or other extraordinary extenuating circumstances or for 1 year if the temporary certificateholder is rated effective or highly effective based solely on a student learning growth formula approved by the Commissioner of Education.¹³²

Junior Reserve Officer Training Instructors

A commissioned or noncommissioned military officer who is an instructor of junior reserve officer training is exempt from requirements for teacher certification, subject to conditions specified in law.¹³³

Fee Waiver

The SBE is required to adopt, by rule, separate fees for applications, examinations, certification, certification renewal, late renewal, recordmaking, and recordkeeping.¹³⁴ Florida initial teacher certification examination fees are as follows:¹³⁵

- | | |
|--|----------|
| • General Knowledge Test, First-Time Registration | \$130.00 |
| • Professional Education Test, First-Time Registration | \$150.00 |
| • Subject Area Examination, First-Time Registration | \$200.00 |

Additionally, the fee for an initial temporary or professional certificate is \$75.¹³⁶

¹²⁹ Section 1012.562, F.S.

¹³⁰ Section 1012.56(7), F.S.

¹³¹ The requirements for issuance of a professional certificate are established in law. Section 1012.56(7), F.S.

¹³² Section 1012.56(7), F.S.

¹³³ Section 1012.55(4), F.S.

¹³⁴ Section 1012.59(1), F.S.

¹³⁵ Rule 6A-4.0021(4)(b), F.A.C.

¹³⁶ Rule 6A-4.0012(1)(a), F.A.C.

Enrollment in the Florida Virtual School

The Florida Virtual School (FLVS) is intended to develop and deliver online and distance learning education.¹³⁷ The school must serve any student in the state who meets the profile for success¹³⁸ in the online educational environment and must give priority to:¹³⁹

- Students who need expanded access to courses in order to meet their educational goals, such as home education students and students in inner-city and rural high schools who do not have access to higher-level courses.
- Students seeking accelerated access in order to obtain a high school diploma at least one semester early.

Military families living outside the state may enroll, but must maintain their Florida residency.¹⁴⁰

Public school students receiving full-time instruction in kindergarten through grade 12 by the FLVS must take all statewide assessments.¹⁴¹ Unless alternate sites are agreed to, such statewide assessments must be taken at the school to which the student would be assigned according to district school board attendance areas.¹⁴² A school district must provide the student with access to the school's testing facilities.¹⁴³

Effect of Proposed Changes

Medal of Honor Day and Required Instruction

The bill designates March 25 of each year as "Medal of Honor Day" and authorizes the Governor to annually issue a proclamation as such, and call upon public officials and specified entities to commemorate the day and honor Medal of Honor¹⁴⁴ recipients.

The bill specifies that a character development program that incorporates the values of the recipients of the Congressional Medal of Honor and that is offered as part of a social studies, English Language Arts, or other schoolwide character building and veteran awareness initiative meets the required instruction related to character development and the sacrifices of veterans.

Training and Licensure

Military Training to Meet Education and Licensure Requirements

The bill requires a board of examiners or other qualification board regulated under general law to accept periods of training and practical experience in the Florida National Guard (FNG) or the

¹³⁷ Section 1002.37(1)(a), F.S.

¹³⁸ The FLVS has identified hard and soft skills and other requirements that facilitate student success in online instruction. Such skills include written and oral communication, academic honesty, self-motivation, computer literacy, time management, reading competency, personal commitment, and access to technology. Email, Florida Virtual School (Jan. 9, 2018).

¹³⁹ *Id.*

¹⁴⁰ Florida Virtual School, *FLVS Student Progression Plan, 2017-18 School Year* (August 2017), available at https://www.flvs.net/docs/default-source/district/student-progression-plan.pdf?sfvrsn=d3437f2a_4, at 14 and 44.

¹⁴¹ Section 1002.37(9)(a), F.S.

¹⁴² Section 1002.37(9)(c), F.S.

¹⁴³ *Id.*

¹⁴⁴ The Medal of Honor is the highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Services of the United States. Congressional Medal of Honor Society, *The Medal of Honor*, <http://www.cmohs.org/> (last visited Feb. 19, 2018).

United States Armed Forces Reserves (ASAFR) in place of any interrupted or delayed periods of training, study, apprenticeship, or practical experience if a member of the FNG or USAFR is called to active duty. The training or practical experience must be accepted if the board finds the standard and type of work or training performed in the FNG or USAFR to be substantially the same as the standard and type required under the laws of this state. Additionally, the bill requires that such members must request licensure or qualification by the respective board of examiners or other qualification board within 6 months after release from active duty.

Apprenticeship Programs

The bill requires the DOE to lead and coordinate outreach efforts to educate veterans about apprenticeship and career opportunities. Additionally, the bill specifies that any laws related to apprenticeship and preapprenticeship programs, adopted rules, or rules within approved apprenticeship agreements do not invalidate any special provisions for veterans, minority persons, or women in the standards, qualifications, or operations of apprenticeship programs.

Temporary Certificates

Temporary Certificate in Educational Leadership

The bill creates a pathway for veterans to become school principals. The bill requires the DOE to issue a 3-year temporary certificate in educational leadership to an individual who:

- Has earned a passing score on the Florida Educational Leadership Examination;
- Served as a commissioned or noncommissioned military officer in the U.S. Armed Forces for at least 3 years;
- Has been honorably discharged or has retired from the U.S. Armed forces; and
- Is employed fulltime in a position for which a Florida educator certificate is required in a Florida public school, state-supported school, or nonpublic school that has a Level II program.

The bill also requires that a Level II program must admit applicants who hold such temporary certificate and requires the DOE to issue a permanent school principal certificate to an individual who holds the temporary certificate and successfully completes the Level II program.

Temporary Educator Certificate Validity Period

The bill adds military service of an applicant's spouse as a circumstance for which the validity of a temporary certificate may be extended by the DOE, which must be adopted in SBE rule.

Junior Reserve Officer Training Instructors

The bill authorizes junior reserve officer training instructors to be eligible to receive funding through the Florida Teachers Classroom Supply Assistance program.¹⁴⁵ However, such instructors do not meet the definition of a classroom teacher¹⁴⁶ under the program.

Fee Waiver

The bill requires the SBE to waive initial general knowledge, professional education, and subject area examination fees and certification fees for:

- A member of the United States Armed Forces (USAF) or a reserve component who is serving or has served on active duty and the spouse of such a member.
- The surviving spouse of a member of the USAF or a reserve component who was serving on active duty at the time of death.
- An honorably discharged veteran of the USAF or a veteran of a reserve component who served on active duty and the spouse or surviving spouse of such a veteran.

Enrollment in the Florida Virtual School

The bill adds to the list of student groups who must receive priority for FLVS services. Specifically, the bill requires the FLVS to also give priority to children of an active duty member of the USAF who is not stationed in this state whose home of record¹⁴⁷ or state of legal residence¹⁴⁸ is Florida.

Additionally, the bill requires that industry certification examinations, national assessments, and statewide assessments offered by the school district to be available to all FLVS students. The bill also requires the school district to provide to the student the date and time of the administration of the examination or assessment.

Professional Development

Present Situation

The Department of Education (department), public postsecondary educational institutions, public school districts, public schools, state education foundations, consortia, and professional organizations in this state must work collaboratively to establish a coordinated system of

¹⁴⁵ The Florida Teachers Classroom Supply Assistance Program is a fund for public school classroom teachers to purchase classroom materials and supplies for the public school students assigned to them. For purposes of the program, “classroom teacher” means a certified teacher employed by a public school district or a public charter school in that district. Section 1012.71 F.S.

¹⁴⁶ For purposes of the Florida Teachers Classroom Supply Assistance Program, the term “classroom teacher” means a certified teacher employed by a public school district or a public charter school in that district on or before September 1 of each year whose full-time or job-share responsibility is the classroom instruction of students in prekindergarten through grade 12, including full-time media specialists and certified school counselors serving students in prekindergarten through grade 12, who are funded through the Florida Education Finance Program. Section 1012.71(1), F.S.

¹⁴⁷ The home of record is defined as the state where a servicemember first enlisted or received a commission from one of the branches of armed services. Military.com, *HOR vs. SLR: What’s the Difference?* <https://www.military.com/money/personal-finance/taxes/home-of-legal-record-for-taxes.html> (last visited Feb 19, 2018).

¹⁴⁸ The state of legal residence is considered the servicemember’s permanent home, the legal residence for state income tax purposes, qualification for in-state tuition rates, eligibility to vote for federal and state elections, for a will to be probated, and where the servicemember intends to live after separation from the military. *Id.*

professional development.¹⁴⁹ The purpose of the professional development system is to increase student achievement, enhance classroom instructional strategies that promote rigor and relevance throughout the curriculum, and prepare students for continuing education and the workforce.¹⁵⁰ The system of professional development must align to the standards adopted by the state and support the framework for standards adopted by the National Staff Development Council.¹⁵¹

The department must disseminate to the school community proven model professional development programs that have demonstrated success in increasing rigorous and relevant content, increasing student achievement and engagement, meeting identified student needs, and providing effective mentorship activities to new teachers and training to teacher mentors.¹⁵² The methods of dissemination must include a web-based statewide performance-support system including a database of exemplary professional development activities, a listing of available professional development resources, training programs, and available technical assistance.¹⁵³

Effect of Proposed Changes

The bill specifies that professional development resources must include sample course-at-a-glance and unit overview templates that school districts may use when developing curriculum. The templates must provide an organized structure for addressing the Florida Standards, grade-level expectations, evidence outcomes, and 21st century skills that build to student's mastery of the standards at each grade level. Each template must support teaching to greater intellectual depth and emphasize transfer and application of concepts, content, and skills. The bill requires the template to, at least, provide courses or year-long sequencing on concept-based unit overviews based on Florida Standards, describe the knowledge and vocabulary necessary for comprehension, and promote the instructional shifts required within the standards.

Statewide, Standardized Assessment Program

The purpose of Florida's student assessment program is to improve instruction; provide student academic achievement and learning gains data to students, parents, teachers, school administrators, and school district staff; and assess the cost benefit of the expenditure of taxpayer dollars.¹⁵⁴

Present Situation

Statewide, Standardized Assessment Requirements

The statewide, standardized assessment program consists of:

- Statewide, standardized comprehensive assessments.¹⁵⁵

¹⁴⁹ Section 1012.98(1), F.S.

¹⁵⁰ *Id.*

¹⁵¹ *Id.*

¹⁵² Section 1012.98(11), F.S.

¹⁵³ *Id.*

¹⁵⁴ Section 1008.22(1), F.S.

¹⁵⁵ Section 1008.22(3)(a), F.S. Federal law requires students to be tested in reading or language arts and mathematics in each of grades 3 through 8 and not less than once in grades 10 through 12. With respect to science, students must be tested once during grades 3 through 5, grades 6 through 9, and grades 10 through 12. 20 U.S.C. s. 6311(b)(3). The Florida Department of Education posts the Statewide Assessment Schedule on its website. Florida Department of Education, *Florida Statewide*

- English Language Arts (ELA) (grades 3 through 10);
- Mathematics (grades 3-8); and
- Science (once at the elementary grade level and once at the middle grade level).¹⁵⁶
- End-of-Course (EOC) assessments:¹⁵⁷
 - Algebra I EOC;
 - Geometry EOC;
 - Biology I EOC;
 - U.S. History EOC; and
 - Civics (at the middle grade level).

Additionally, the statewide, standardized assessment program also includes the Florida Alternate Assessment (FAA) to assess students with disabilities in the content knowledge and skills necessary for successful grade-to-grade progression and high school graduation.¹⁵⁸

Implementation Schedule

The Commissioner of Education (commissioner) must establish and publish on the department's website an implementation schedule for the ELA assessments and to the Mathematics assessments, including the Algebra I and Geometry EOC assessments.¹⁵⁹ All such assessments must be delivered through computer-based testing, however, the following assessments must be delivered in a computer-based format, as follows: the grade 3 Mathematics assessment beginning in the 2016-2017 school year; the grade 4 ELA assessment, beginning in the 2015-2016 school year; and the grade 4 Mathematics assessment, beginning in the 2016-2017 school year.¹⁶⁰ Notwithstanding the requirements specified in law, statewide, standardized ELA and mathematics assessments in grades 3 through 6 must be delivered only in a paper-based format, beginning with the 2017-2018 school year, and all such assessments must be paper-based no later than the 2018-2019 school year.¹⁶¹

Publication of Assessments

The DOE must publish each statewide standardized assessment and EOC assessment, excluding assessment retakes, at least once on a triennial basis pursuant to a schedule determined by the commissioner.¹⁶² Each assessment, when published, must have been administered during the most recent school year.

Assessment Program 2016-2017 Schedule, available at <https://info.fldoe.org/docushare/dsweb/Get/Document-7514/dps-2015-175a.pdf>

¹⁵⁶ Rule 6A-1.09422(3)(c), F.A.C., requires all eligible students in grades five and eight to take the statewide Science assessment.

¹⁵⁷ Section 1008.22(3)(b)1., F.S.

¹⁵⁸ *Id.* at (3)(c)1., F.S. A child with medical complexity may be exempt from participating in statewide, standardized assessments, including the Florida Alternate Assessment. Section 1008.22(11), F.S.

¹⁵⁹ *Id.* at (3)(d), F.S.

¹⁶⁰ Section 1008.22(3)(d), F.S.

¹⁶¹ *Id.*

¹⁶² Section 1008.22(8)(a), F.S.

Effect of Proposed Changes

The bill requires all statewide, standardized ELA and math assessments in grades 7 and 8 to be administered in a paper-based format by the 2019-2020 school year. The bill also requires that reading passages and writing prompts used in statewide, standardized ELA assessments incorporate grade-level Social Studies core curricular content.

Additionally, the bill specifies that the statewide, standardized assessments published by the DOE must be in a format that facilitates sharing of assessment items.

Other Provisions

Present Situation

Emergency Coordination

The Commissioner of Education (commissioner) is appointed by the SBE¹⁶³ and serves as the Executive Director of the Department of Education (DOE).¹⁶⁴ The DOE is responsible for coordinating, when necessary, the use of educational facilities during emergency activations among federal and state agencies, local school districts, colleges and universities.¹⁶⁵ The DOE also serves as the primary liaison in coordinating all phases of emergency response from pre-disaster planning through post disaster recovery of educational facilities.¹⁶⁶ Currently, DOE staff members are assigned to serve as contacts (called “Emergency Management (EM) Buddies”) to provide the direct communications conduit between the DOE, district school superintendents, Florida College System (FCS) institution presidents, and state and local emergency operations centers.¹⁶⁷

Electronic Individual Education Plan

In 2006,¹⁶⁸ the Legislature enacted legislation to require the DOE to develop and have an operating electronic individual education plan (IEP) in place for potential statewide use by July 1, 2007.¹⁶⁹ The law required the statewide system to be developed collaboratively with school districts and include input from school districts at that time developing or operating electronic IEP systems.¹⁷⁰

¹⁶³ Art. IX, s. 2, Fla. Const.

¹⁶⁴ Section 20.15(2), F.S.

¹⁶⁵ Florida Division of Emergency Management, *The State of Florida 2016 Comprehensive Emergency Management Plan, 2016 Draft Revision*, [http://www.floridadisaster.org/documents/CEMP/2016/2016%20State%20CEMP%20\(COMPLETE%20FINAL%20DRAFT\).pdf](http://www.floridadisaster.org/documents/CEMP/2016/2016%20State%20CEMP%20(COMPLETE%20FINAL%20DRAFT).pdf), at 10 of ESF 6 Appendix.

¹⁶⁶ Florida Division of Emergency Management, *The State of Florida 2016 Comprehensive Emergency Management Plan, 2016 Draft Revision*, [http://www.floridadisaster.org/documents/CEMP/2016/2016%20State%20CEMP%20\(COMPLETE%20FINAL%20DRAFT\).pdf](http://www.floridadisaster.org/documents/CEMP/2016/2016%20State%20CEMP%20(COMPLETE%20FINAL%20DRAFT).pdf), at 10 of ESF 6 Appendix.

¹⁶⁷ Florida Department of Education, Presentation to the Senate Committee on Education, *Emergency Coordination of State and Local Entities* (Oct. 9, 2017), available at <http://www.flsenate.gov/Committees/Show/ED/Meeting%20Packet/3952>, at 3.

¹⁶⁸ Section 31, ch. 2006-74, L.O.F.

¹⁶⁹ Section 1003.576, F.S.

¹⁷⁰ *Id.*

Student Discipline and Safety

Each district school board is required to use the Safety and Security Best Practices developed by the Office of Program Policy Analysis and Government Accountability (OPPAGA) to conduct a self-assessment of the school districts' current safety and security practices.¹⁷¹

Based on these self-assessment findings, the district school superintendent must provide recommendations to the district school board which identify strategies and activities to improve school safety and security.¹⁷²

Dual Enrollment

The dual enrollment articulation agreement required between postsecondary education institution and private schools in its geographic service area governs available courses and programs, student responsibilities, and costs, and must include provisions:¹⁷³

- Expressing that costs associated with tuition and fees, including registration, and laboratory fees, will not be passed along to the student.
- Stating whether the private school will compensate the postsecondary institution for the standard tuition rate per credit hour for each dual enrollment course taken by its students.

Students who participate in dual enrollment from a home education program or private school are responsible for providing their own instructional materials, as specified in the dual enrollment articulation agreements for private schools and for home education programs.¹⁷⁴

Effect of Proposed Changes

Emergency Coordination

The bill authorizes the commissioner to coordinate with school districts, FCS institutions, and the satellite offices of the Division of Blind Services and the Division of Vocational Rehabilitation to assess their need for resources and assistance in the event of an emergency situation. According to the DOE, the expanded authority will likely be helpful in securing necessary information in a timely manner before, during, and after any emergency situation.¹⁷⁵

Electronic Individual Education Plan

The bill deletes an obsolete July 1, 2007, deadline for the DOE to develop and operate an electronic individual education plan (IEP) system for statewide use. The DOE has developed the required IEP system.¹⁷⁶

¹⁷¹ Section 1006.07(6), F.S.

¹⁷² *Id.*

¹⁷³ *Id.*

¹⁷⁴ Section 1007.271(13)(a) and (24)(a), F.S. Instructional materials assigned for use within dual enrollment courses must be made available to dual enrollment students from Florida public high schools free of charge. *Id.* at (17), F.S.

¹⁷⁵ Email, Florida Department of Education (March 17, 2017).

¹⁷⁶ Email, Florida Department of Education (Jan. 17, 2018). The electronic IEP system developed by the DOE is within the Portal to Exceptional Education Resources (PEER). *Id.*

Student Discipline and Safety

The bill requires each school district to conduct a security risk assessment at each public school and conduct a self-assessment of the school districts' current safety and security practices using a format developed by the DOE and deletes an outdated reference in current law to the Safety and Security Best Practices developed by the OPPAGA.¹⁷⁷ Consequently, the public may be informed about school districts' safety and security practices.

Dual Enrollment

The bill modifies the dual enrollment eligibility requirements for home education program students and the related dual enrollment articulation agreement to remove the requirement that home education program students are responsible for their own instructional materials. The bill also appropriates \$550,000 for instructional materials.

Additionally, the bill removes the requirement for the articulation agreement between a postsecondary education institution and a private school to include a provision indicating whether a private school will compensate a public postsecondary institution for dual enrollment instruction provided by the postsecondary institution to the private school's students. The bill, however, does not specify that the public postsecondary institution may not charge tuition and fees to the private school for the dual enrollment of its students.

Funding

Present Situation

Schools of Hope Grant Funds

In 2017, the Legislature created the Schools of Hope Program to provide funds to eligible schools of hope for specified purposes and to up to 25 traditional public schools that are required to submit a district managed turnaround plan for implementation.¹⁷⁸

Supplemental Academic Instruction Allocation

Each school district that has one or more of the 300 lowest-performing elementary schools based on the state reading assessment for the prior year must use supplemental academic instruction funds, along with the funds provided in the district's research-based reading instruction allocation¹⁷⁹ and other available funds, to provide an additional hour of instruction beyond the normal school day for each day of the entire school year for intensive reading instruction for the students in each of these schools.¹⁸⁰

¹⁷⁷ In 2014, the Legislature repealed the Best Financial Management Practices Review that authorized the Office of Program Policy Analysis and Government Accountability to develop best practices. Section 76, ch. 2014-39, L.O.F.

¹⁷⁸ Section 1002.333(10), F.S.

¹⁷⁹ The research-based reading instruction allocation is created to provide comprehensive reading instruction to students in kindergarten through grade 12. Section 1011.62(9)(a), F.S.

¹⁸⁰ Section 1011.62(1)(f)2., F.S.

Research-based Reading Allocation

The research-based reading instruction allocation is created to provide comprehensive reading instruction to students in kindergarten through grade 12.¹⁸¹

Career and Professional Education Bonus

Florida law authorizes the award of a bonus calculated as an additional full-time equivalent member based on the completion of a Career and Professional Education (CAPE) industry certification and authorizes the State Board of Education to adopt rules establishing programs, industry certifications and courses for which a student participating in such program may earn credit towards high school graduation.¹⁸²

Effect of Proposed Changes

Schools of Hope Grant Funds

The bill authorizes the carryforward, for up to 5 years after July 1 2017, of any funds allocated for the Schools of Hope Program which are not disbursed by June 30 of the fiscal year in which the funds are allocated.

Supplemental Academic Instruction Allocation

The bill renames the supplemental academic instruction categorical fund and revises the focus to require, beginning in the 2018-2019 school year, each school that earns a “D” or “F” grade to use the allocation to implement intervention and support strategies for school improvement and salary supplements. The bill also deletes the 300 lowest performing elementary schools from the authorized use of the allocation funds¹⁸³ and adds dropout prevention programs to the authorized uses of funds.

Research-based Reading Allocation

The bill provides priority within each school district to one or more of the 300 lowest-performing elementary schools, based on a 3-year average, to provide an additional hour per day of reading instruction. The bill authorizes permissive participation in such additional hour for students who scored a level 4 or 5 on the ELA assessment in the prior year. The bill requires the use of teachers who are certified or endorsed in reading in order to be eligible for the allocation and provides that each school district only has to submit a comprehensive reading plan for a school that earns a grade below a “B.”

Career and Professional Education Bonus

The bill provides that a teacher may not be awarded a CAPE industry certification bonus if the teacher fails to maintain the security of any CAPE industry certification examination or otherwise violates the security or administration protocol of any assessment instrument that may result in a bonus being awarded to the teacher. Additionally, the bill expands the authority of the

¹⁸¹ *Id.* at (9)(a), F.S.

¹⁸² *Id.* at (1)(o), F.S.

¹⁸³ The bill grants these schools priority in the research-based reading allocation.

SBE to adopt rules by authorizing the SBE to establish the criteria under which a student's industry certification or grade may be rescinded.

Appropriations

The bill appropriates \$19,350,000 in recurring funds from the General Revenue Fund to the Department of Education for the following purposes:

- \$9,700,000 for reading scholarship accounts;
- \$300,000 for administrative fees associated with the reading scholarship accounts;
- \$2,000,000 to implement DOE obligations for the Hope Scholarship Program;
- \$5,600,000 to implement paper-based state assessment provisions;
- \$950,000 to implement the revised state scholarship accountability provisions;
- \$250,000 for a competitive grant award to a state university to review the Florida Tax Credit scholarship Program; and
- \$550,000 for dual enrollment instructional materials for home education program students.

Additionally, the bill appropriates \$850,000 in nonrecurring funds from the General Revenue Fund to the Department of Education for the following purposes:

- \$750,000 for the DOE to develop a web-based fiscal transparency tool; and
- \$100,000 for the DOE to contract with an independent third party to conduct an investigation of certain district school boards' accounts and records, as specified.

The bill takes effect July 1, 2018.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

School Choice Scholarship - Hope Scholarship

The revenue estimating conference estimated proposed language similar to SB 1172,¹⁸⁴ except that the pertinent language in the proposal authorized a one-time contribution of \$20 per vehicle purchase instead of \$105 as in the current bill and contained a description of what the contribution form, on which the necessary contribution election must be made, will contain.¹⁸⁵ The contribution form description may impact the participation rate, which could affect the bill's fiscal impact.¹⁸⁶

Based on the proposed language with a \$20 contribution amount and the form description, the revenue estimating conference estimates that the proposed language will reduce General Revenue Fund receipts by at least \$7.9 million in Fiscal Year 2018-19 and each year thereafter.¹⁸⁷ Using the revenue estimate conference estimate with a \$105 contribution amount specified in the bill, the bill may reduce General Revenue Fund receipts by at least \$41.5 million.

B. Private Sector Impact:

School Choice Scholarship - Hope Scholarship

Private schools that enroll students who receive a Hope Scholarship Program award may see an increase in revenue.¹⁸⁸

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 11.45, 112.313, 112.31455, 213.053, 446.041, 446.081, 1001.10, 1001.20, 1001.39, 1001.395, 1001.42, 1001.51, 1002.33, 1002.331, 1002.333, 1002.37, 1002.385, 1002.39, 1002.395, 1002.421, 1003.42, 1003.576, 1006.07, 1007.271, 1008.22, 1010.20, 1010.30, 1011.01, 1011.03, 1011.035, 1011.051, 1011.06, 1011.09, 1011.10, 1011.60, 1011.62, 1011.6202, , 1011.69, 1011.71,

¹⁸⁴ SB 1172 is substantively similar to the Hope Scholarship Program provisions in HB 7055.

¹⁸⁵ Florida Office of Economic and Demographic Research, *Revenue Estimating Conference, Proposed Language -- Hope Scholarship*, (Dec. 1, 2017), available at http://edr.state.fl.us/Content/conferences/revenueimpact/archives/2018/_pdf/Impact1201.pdf (last visited Jan. 19, 2018).

¹⁸⁶ *Id.*

¹⁸⁷ *Id.*

¹⁸⁸ Florida Department of Education, *2018 Agency Legislative Bill Analysis: HB 1*, (Nov. 3, 2017), at 12. HB 1 is substantively similar to the Hope Scholarship Program provisions in HB 7055.

1012.23, 1012.2315, 1012.28, 1012.32, 1012.55, 1012.56, 1012.562, 1012.59, 1012.98, 1013.28, 1013.385, and 1013.62.

This bill creates the following sections of the Florida Statutes: 212.1832, 250.483, 683.147, 1002.40, and 1002.411.

This bill repeals section 1011.64 of the Florida Statutes.

The bill creates two undesignated sections of Florida Law.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

Barcode 903516 by Education on February 20, 2018:

Compared to CS/HB 7055, the amendment deletes certain provisions and:

- Modifies the Hope Scholarship Program to provide the parent of a public school student who was the victim of a substantiated incident of violence or abuse an opportunity to transfer the student to another public school that has capacity or to request and receive from the state a scholarship for the student to attend an eligible private school.
- Modifies the accountability provisions for private schools that participate in state school choice scholarship programs and applies such provisions consistently to the participating schools.
- Adds the following provisions related to K-12 education enhancements:
 - Creates the mental health assistance allocation within the Florida Education Finance Program (FEFP) to provide funds for school-based mental health programs and establishes related requirements.
 - Establishes the hope supplemental services allocation within the FEFP to provide schools implementing a district-managed turnaround plan or a turnaround option specified in law with funds to offer services designed to improve the overall academic and community welfare of the schools' students and their families.
 - Establishes the funding compression allocation within the FEFP to provide additional funding to school districts and developmental research schools whose total funds per FTE in the prior year were less than the statewide average.
 - Strengthens school improvement and accountability measures in the following ways:
 - Provides that a school must complete two years of a district-managed turnaround plan before the school is designated as persistently low-performing and required to implement a turnaround option.
 - Expands the turnaround options available to a school district for a persistently low performing school to include a franchise model school that is led by a specified highly effective principal.
 - Revises the school of hope provisions to require a hope operator to submit a notice of intent containing an operations plan specifying the hope operator's intent to undertake the operations of the persistently low-performing school and

- incentivizes a hope operator to establish a school of hope at the district-owned facilities of the persistently low-performing school.
- Modifies the eligibility requirements and calculation methodology for specified charter school capital outlay provisions and revises the amount of discretionary millage that a school district may expend for specified purposes.
- Renames the Collegiate High School Program as the Structured High School Acceleration Program and creates a bonus funding mechanism to incentivize school district interest in expanding programs.
- Clarifies that school districts may construct or renovate facilities without a survey recommendation when using funds from specified local revenue sources.
- Adds the following provisions related to instruction in public schools:
 - Establishes a separate one-half credit requirement in personal financial literacy, and specifies financial literacy standards and instruction for students entering grade 9 in the 2018-2019 school year and thereafter.
 - Requires each school district to provide students instruction in cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator.
- Adds a provision to authorize an individual member of the State Legislature to visit any district school, including any charter school, in his or her legislative district, on any day and at any time at his or her pleasure.
- Adds a provision to modify the Florida Best and Brightest Teacher Scholarship Program to deem a school district employee who, in the prior school year, was rated highly effective and met the eligibility requirements of the scholarship as a classroom teacher, as eligible to receive a scholarship award during the current school year if he or she maintains employment with the school district.
- Adds a provision to authorize an early learning coalition to refuse to contract with a private provider of the Voluntary Prekindergarten Education Program if the provider has been cited for a class I violation.
- Adds a provision to revise the definition of a rare disease for the purposes of the Gardiner Scholarship Program and conforms the definition of a rare disease to the definition provided by the Orphan Drug Act of 1983, Pub. L. No. 97-414.
- Modifies school safety requirements in the following ways:
 - Requires a school district to formulate and prescribe policies and procedures for emergency drills for hostage and active shooter situations and establish model emergency management and emergency preparedness procedures for active shooter situations. The amendment specifies that active shooter situation training must be conducted by the law enforcement agency or agencies that are designated as the first responders to the school's campus.
 - Requires each school district to conduct security risk assessments at each public school and conduct a self-assessment of the school districts' current safety and security practices using a format prescribed by the Department of Education (DOE) and develop a plan that includes having a secure, single point of entry onto school grounds, using a format prescribed by the DOE.
 - Requires a district school board or a private school principal or governing board to allow the law enforcement agency or agencies that are designated as first responders to the school's or districts' campus tour such campuses once every 3 years and to document any recommended changes to school safety and emergency issues by the law enforcement agency based on a campus tour.

- Requires a district school board to establish a school resource office program.
- Modifies appropriations, for the 2018-2019 fiscal year:
 - The sum of \$2,596,560 in recurring funds from the General Revenue Fund to the DOE for the following purposes:
 - \$2 million to implement the Hope Scholarship Program.
 - \$596,560 to implement additional state scholarship oversight requirements.
 - The sum of \$392,134 in nonrecurring funds from the General Revenue Fund to the DOE for the following purposes:
 - \$142,134 to implement additional state scholarship oversight requirements.
 - \$250,000 to award a competitive grant to study student performance in the Florida Tax Credit Scholarship Program as required in law.
- Specifies a July 1, 2018, effective date, except as otherwise expressly provided.



826696

LEGISLATIVE ACTION

Senate	.	House
Comm: RE	.	
02/21/2018	.	
	.	
	.	
	.	

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



826696

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

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

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

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

213.053 Confidentiality and information sharing.—

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



826696

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



826696

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

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

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

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

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

1001.4205 Visitation of schools ~~by an individual school board or charter school governing board member.~~—An individual member of a district school board may, on any day and at any time at his or her pleasure, visit any district school in his or her school district. An individual member of the State Legislature may, on any day and at any time at his or her pleasure, visit any district school, including any charter school, in his or her legislative district. An individual member of a charter school governing board ~~member~~ may, on any day and at any time at his or her pleasure, visit any charter school governed by the charter school's governing board.

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



826696

times while present on school premises.

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

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

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

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

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

1002.01 Definitions.—

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

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



826696

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

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

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

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

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

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

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

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



826696

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

(2) ATTENDANCE.—

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

(6) EDUCATIONAL CHOICE.—

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



826696

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

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

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

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

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

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



826696

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

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

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

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

1002.33 Charter schools.—

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

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

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



826696

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

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

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



826696

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

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

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

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

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

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



826696

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

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

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

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



826696

approved charter school.

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

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

1002.331 High-performing charter schools.—

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

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

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

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



826696

1002.345(1)(a)3.

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

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

1002.333 Persistently low-performing schools.—

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

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

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

(c) "School of hope" means:

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



826696

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

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

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

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

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

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

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

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

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

6. Other outcome measures as determined by the State Board



826696

of Education;

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

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

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

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

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

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

1. An academic focus and plan.

2. A financial plan.

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



826696

4. A completed or planned community outreach plan.

5. The organizational history of success in working with students with similar demographics.

6. The grade levels to be served and enrollment projections.

7. The specific proposed location or geographic area proposed for the school and its proximity to the persistently low-performing school or the plan to use the district-owned facilities of the persistently low-performing school.

8. A staffing plan.

9. An operations plan specifying the operator's intent to undertake the operations of the persistently low-performing school in its entirety or through limited components of the operations.

(5) PERFORMANCE-BASED AGREEMENT.—The following shall comprise the entirety of the performance-based agreement:

~~(b) The location or geographic area proposed for the school of hope and its proximity to the persistently low-performing school.~~

~~(f)(g)~~ The grounds for termination, including failure to meet the requirements for student performance established pursuant to paragraph (d) ~~(e)~~, generally accepted standards of fiscal management, or material violation of terms of the agreement. The nonrenewal or termination of a performance-based agreement must comply with the requirements of s. 1002.33(8).

(h)(i) A provision establishing the initial term as 5 years. The agreement must ~~shall~~ be renewed, upon the request of the hope operator, unless the school fails to meet the requirements for student performance established pursuant to



826696

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

(7) FACILITIES.—

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

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

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



826696

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

(9) FUNDING.—

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

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

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

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

(e) Schools of hope that meet the definition under



826696

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

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

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

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

2. ~~Establish clearly defined and measurable high academic~~
~~and character standards.~~

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

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



826696

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

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

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

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

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

1002.334 Franchise model schools.-

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

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

(3) A franchise model school principal:

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



826696

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

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

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

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

1002.385 The Gardiner Scholarship.—

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

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



826696

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

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

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

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



826696

“part-time tutoring services” does not qualify as regular school attendance as defined in s. 1003.01(13) ~~s. 1003.01(13)(c)~~.

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

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

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

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

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

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

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



826696

the parent.

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

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

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

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

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

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



826696

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

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

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

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

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

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

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

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



826696

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

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

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

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

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

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

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

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

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



826696

pursuant to this chapter;

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

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

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

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

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

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

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

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



826696

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

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

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

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

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



826696

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

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

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

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

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

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

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



826696

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

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

1002.395 Florida Tax Credit Scholarship Program.—

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

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

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

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

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

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

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

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

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

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



826696

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

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

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



826696

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

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

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

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

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

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

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

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



826696

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

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

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

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

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

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

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



826696

this section at the school's physical location.

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

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

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

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



826696

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

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

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

1002.40 The Hope Scholarship Program.—

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

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

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

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



826696

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

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

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

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

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

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

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

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

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



826696

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

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

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

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

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

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

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

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



826696

Juvenile Justice commitment programs;

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

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

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

(5) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.—

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

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



826696

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



826696

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

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

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

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

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

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

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

(c) Be academically accountable to the parent for meeting



826696

the educational needs of the student by:

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

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

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

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

b. A participating private school shall submit a request in writing to the department by March 1 of each year in order to administer the statewide assessments in the subsequent school year.

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

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

(f) Provide a report from an independent certified public



826696

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

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

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

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

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

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

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

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



826696

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

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

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

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

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

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

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

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

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



826696

school at which the incidents occurred.

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

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

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



826696

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

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

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



826696

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

(8) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—

(a) The Commissioner of Education:

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

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

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



826696

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

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

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

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

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



826696

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

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

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

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

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

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



826696

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

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

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

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

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

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

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

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



826696

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



826696

eligible students by:

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

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

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

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

(11) FUNDING AND PAYMENT.—

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

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

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

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

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

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



826696

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

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

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

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



826696

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

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

(12) OBLIGATIONS OF THE AUDITOR GENERAL.—

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



826696

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

(13) SCHOLARSHIP FUNDING TAX CREDITS.—

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

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

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

2. Collect eligible contributions.

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



826696

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

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

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

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

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

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



826696

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

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

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

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

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

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

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

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

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

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



826696

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

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

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

(h) Employ or contract with teachers who:

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

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

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



826696

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

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

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

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

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



826696

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

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

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

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



826696

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

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

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

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

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



826696

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

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

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

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

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

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

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



826696

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

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

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

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

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

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

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

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



826696

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

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

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

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

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



826696

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

(1) CONTACT, REFER, AND ENFORCE.—

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



826696

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

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

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

1003.41 Next Generation Sunshine State Standards.—

(2) Next Generation Sunshine State Standards must meet the



826696

following requirements:

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

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

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

1003.4282 Requirements for a standard high school diploma.—



826696

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

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

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

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



826696

include discussion of or instruction in the following:

1. Types of bank accounts offered, opening and managing a bank account, and assessing the quality of a depository institution's services.

2. Balancing a checkbook.

3. Basic principles of money management, such as spending, credit, credit scores, and managing debt, including retail and credit card debt.

4. Completing a loan application.

5. Receiving an inheritance and related implications.

6. Basic principles of personal insurance policies.

7. Computing federal income taxes.

8. Local tax assessments.

9. Computing interest rates by various mechanisms.

10. Simple contracts.

11. Contesting an incorrect billing statement.

12. Types of savings and investments.

13. State and federal laws concerning finance.

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

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

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



826696

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

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

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

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



826696

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

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

2. Instructions to call 911 for emergencies; and

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

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

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

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

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

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

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



826696

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

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

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

(b) The contract must:



826696

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



826696

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

(3) STUDENT PERFORMANCE CONTRACT AND NOTIFICATION.—

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

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

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



826696

institutions participating pursuant to subsection (4); and

2. The estimated cost savings to students and their families resulting from students successfully completing 30 credit hours applicable toward general education core courses or common prerequisite course requirements before graduating from high school versus the cost of earning such credit hours after graduating from high school.

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

(5) FUNDING.—

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



826696

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

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

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

(6) REPORTING REQUIREMENTS.—

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



826696

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

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

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

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

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

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

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

1008.33 Authority to enforce public school improvement.—

(3)

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



826696

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

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

a. Improvement planning;

b. Leadership quality improvement;

c. Educator quality improvement;

d. Professional development;

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

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

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

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



826696

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

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

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

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

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

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



826696

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

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

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

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

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

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



826696

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

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

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

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

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

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



826696

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

(a) *Estimated taxable value calculations.*—

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

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



826696

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

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

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

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

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



826696

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

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

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



826696

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

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

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

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

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

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

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

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

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

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



826696

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

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

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



826696

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

(a) Prior to the distribution of the allocation:

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

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

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

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

2. Programs to assist students in dealing with bullying,



826696

trauma, and violence;

3. Strategies or programs to reduce the likelihood of at-risk students developing social, emotional, or behavioral health problems or substance use disorders;

4. Strategies to improve the early identification of social, emotional, or behavioral problems or substance use disorders and to improve the provision of early intervention services;

5. Strategies to enhance the availability of school-based crisis intervention services and appropriate referrals for students in need of mental health services; and

6. Training opportunities for school personnel in the techniques and supports needed to identify students who have trauma histories and who have or are at risk of having a mental illness, and in the use of referral mechanisms that effectively link such students to appropriate treatment and intervention services in the school and in the community.

(c) The districts shall submit approved plans to the commissioner by August 1 of each fiscal year.

(d) Beginning September 30, 2019, and by each September 30 thereafter, each entity that receives an allocation under this subsection shall submit to the commissioner, in a format prescribed by the department, a final report on its program outcomes and its expenditures for each element of the program.

(18) FUNDING COMPRESSION ALLOCATION.—The Legislature may provide an annual funding compression allocation in the General Appropriations Act. The allocation is created to provide additional funding to school districts and developmental research schools whose total funds per FTE in the prior year



826696

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

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

1011.69 Equity in School-Level Funding Act.—

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

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



826696

1. One percent for parent involvement, in addition to the one percent the district must reserve under federal law for allocations to eligible schools for parent involvement;

2. A necessary and reasonable amount for administration;⁷

~~3. which includes~~ The district's approved indirect cost rate, ~~not to exceed a total of 8 percent; and~~

~~4.3.~~ A reasonable and necessary amount to provide:

a. Homeless programs;

b. Delinquent and neglected programs;

c. Prekindergarten programs and activities;

d. Private school equitable services; and

e. Transportation for foster care children to their school of origin or choice programs; ~~and.~~

5. A necessary and reasonable amount for eligible schools to provide:

a. Extended learning opportunities, such as summer school, before-school and after-school programs, and additional class periods of instruction during the school day; and

b. Supplemental academic and enrichment services, staff development, and planning and curriculum, as well as wrap-around services.

(b) All remaining Title I funds shall be distributed to all eligible schools in accordance with federal law and regulation. To maximize the efficient use of resources, school districts may allow eligible schools, not including charter schools, to ~~An eligible school may~~ use funds under this subsection for district-level ~~to participate in discretionary~~ educational services provided by the school district.

Section 27. Subsection (5) of section 1011.71, Florida



826696

Statutes, is amended to read:

1011.71 District school tax.—

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

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

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

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

1012.2315 Assignment of teachers.—

(4) COLLECTIVE BARGAINING.—

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



826696

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

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

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

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

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

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

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



826696

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

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

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

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

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

(d) Section 782.04, relating to murder.

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

(f) Section 784.021, relating to aggravated assault.

(g) Section 784.045, relating to aggravated battery.

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

(i) Section 787.01, relating to kidnapping.



826696

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.



826696

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.



826696

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

(oo) Chapter 847, relating to obscenity.

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

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

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

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

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

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

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

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

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

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



826696

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

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

1012.731 The Florida Best and Brightest Teacher Scholarship Program.—

(3)

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

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

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

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

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

1012.732 The Florida Best and Brightest Principal



826696

Scholarship Program.—

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

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

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

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

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

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



826696

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

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

1012.796 Complaints against teachers and administrators; procedure; penalties.—

(1)

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

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



826696

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

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

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

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

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



826696

3. One-half cent sales surtax revenue;

4. One cent local governmental surtax revenue;

5. Impact fees; and

6. Private gifts or donations.

Section 34. Paragraph (e) is added to subsection (2) of section 1013.385, Florida Statutes, to read:

1013.385 School district construction flexibility.—

(2) A resolution adopted under this section may propose implementation of exceptions to requirements of the uniform statewide building code for the planning and construction of public educational and ancillary plants adopted pursuant to ss. 553.73 and 1013.37 relating to:

(e) Any other provisions that limit the ability of a school to operate in a facility on the same basis as a charter school pursuant to s. 1002.33(18) if the regional planning council determines that there is sufficient shelter capacity within the school district as documented in the Statewide Emergency Shelter Plan.

Section 35. Subsection (3) of section 1013.62, Florida Statutes, is amended, and paragraph (c) is added to subsection (1) of that section, to read:

1013.62 Charter schools capital outlay funding.—

(1) Charter school capital outlay funding shall consist of revenue resulting from the discretionary millage authorized in s. 1011.71(2) and state funds when such funds are appropriated in the General Appropriations Act.

(c) It is the intent of the Legislature that the public interest be protected by prohibiting personal financial enrichment by owners, operators, managers, real estate



826696

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

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

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

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



826696

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

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

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

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



826696

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

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

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

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

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



826696

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

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

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



826696

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

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

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

===== T I T L E A M E N D M E N T =====
And the title is amended as follows:

Delete everything before the enacting clause
and insert:

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



826696

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;



826696

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



826696

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



826696

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



826696

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";



826696

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



826696

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



826696

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



826696

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.



832342

LEGISLATIVE ACTION

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

Senate Amendment to Amendment (826696) (with title amendment)

Before line 5
insert:

Section 1. Paragraph (b) of subsection (13) of section 121.091, Florida Statutes, is amended to read:

121.091 Benefits payable under the system.—Benefits may not be paid under this section unless the member has terminated employment as provided in s. 121.021(39) (a) or begun participation in the Deferred Retirement Option Program as



832342

provided in subsection (13), and a proper application has been filed in the manner prescribed by the department. The department may cancel an application for retirement benefits when the member or beneficiary fails to timely provide the information and documents required by this chapter and the department's rules. The department shall adopt rules establishing procedures for application for retirement benefits and for the cancellation of such application when the required information or documents are not received.

(13) DEFERRED RETIREMENT OPTION PROGRAM.—In general, and subject to this section, the Deferred Retirement Option Program, hereinafter referred to as DROP, is a program under which an eligible member of the Florida Retirement System may elect to participate, deferring receipt of retirement benefits while continuing employment with his or her Florida Retirement System employer. The deferred monthly benefits shall accrue in the Florida Retirement System on behalf of the member, plus interest compounded monthly, for the specified period of the DROP participation, as provided in paragraph (c). Upon termination of employment, the member shall receive the total DROP benefits and begin to receive the previously determined normal retirement benefits. Participation in the DROP does not guarantee employment for the specified period of DROP. Participation in DROP by an eligible member beyond the initial 60-month period as authorized in this subsection shall be on an annual contractual basis for all participants.

(b) *Participation in DROP.*—Except as provided in this paragraph, an eligible member may elect to participate in DROP for a period not to exceed a maximum of 60 calendar months.



832342

41 1.a. An eligible member may elect to participate in DROP
42 for a period not to exceed a maximum of 60 calendar months.
43 However, members who are instructional personnel employed by the
44 Florida School for the Deaf and the Blind and authorized by the
45 Board of Trustees of the Florida School for the Deaf and the
46 Blind, who are instructional personnel as defined in s.
47 1012.01(2)(a)-(d) in grades K-12 and authorized by the district
48 school superintendent, or who are instructional personnel as
49 defined in s. 1012.01(2)(a) employed by a developmental research
50 school and authorized by the school's director, or if the school
51 has no director, by the school's principal, may participate in
52 DROP for up to 36 calendar months beyond the 60-month period.
53 Effective July 1, 2018, instructional personnel who are
54 authorized to extend DROP participation beyond the 60-month
55 period must have a termination date that is the last day of the
56 last calendar month of the school year within the DROP extension
57 granted by the employer. If, on July 1, 2018, the member's DROP
58 participation has already been extended for the maximum 36
59 calendar months and the extension period concludes before the
60 end of the school year, the member's DROP participation may be
61 extended through the last day of the last calendar month of that
62 school year. The employer shall notify the division of the
63 change in termination date and the additional period of DROP
64 participation for the affected instructional personnel.

65 b. Administrative personnel in grades K-12, as defined in
66 s. 1012.01(3), who have a DROP termination date on or after July
67 1, 2018, may be authorized to extend DROP participation beyond
68 the initial 60 calendar month period if the administrative
69 personnel's termination date is before the end of the school



832342

year. Such administrative personnel may have DROP participation extended until the last day of the last calendar month of the school year in which their original DROP termination date occurred if a date other than the last day of the last calendar month of the school year is designated. The employer shall notify the division of the change in termination date and the additional period of DROP participation for the affected administrative personnel.

2. Upon deciding to participate in DROP, the member shall submit, on forms required by the division:

a. A written election to participate in DROP;

b. Selection of DROP participation and termination dates that satisfy the limitations stated in paragraph (a) and subparagraph 1. The termination date must be in a binding letter of resignation to the employer establishing a deferred termination date. The member may change the termination date within the limitations of subparagraph 1., but only with the written approval of the employer;

c. A properly completed DROP application for service retirement as provided in this section; and

d. Any other information required by the division.

3. The DROP participant is a retiree under the Florida Retirement System for all purposes, except for paragraph (5)(f) and subsection (9) and ss. 112.3173, 112.363, 121.053, and 121.122. DROP participation is final and may not be canceled by the participant after the first payment is credited during the DROP participation period. However, participation in DROP does not alter the participant's employment status, and the member is not deemed retired from employment until his or her deferred



832342

resignation is effective and termination occurs as defined in s. 121.021.

4. Elected officers are eligible to participate in DROP subject to the following:

a. An elected officer who reaches normal retirement date during a term of office may defer the election to participate until the next succeeding term in that office. An elected officer who exercises this option may participate in DROP for up to 60 calendar months or no longer than the succeeding term of office, whichever is less.

b. An elected or a nonelected participant may run for a term of office while participating in DROP and, if elected, extend the DROP termination date accordingly; however, if such additional term of office exceeds the 60-month limitation established in subparagraph 1., and the officer does not resign from office within such 60-month limitation, the retirement and the participant's DROP is null and void as provided in subparagraph (c)5.d.

c. An elected officer who is dually employed and elects to participate in DROP must terminate all employment relationships as provided in s. 121.021(39) for the nonelected position within the original 60-month period or maximum participation period as provided in subparagraph 1. For DROP participation ending:

(I) Before July 1, 2010, the officer may continue employment as an elected officer as provided in s. 121.053. The elected officer shall be enrolled as a renewed member in the Elected Officers' Class or the Regular Class, as provided in ss. 121.053 and 121.122, on the first day of the month after termination of employment in the nonelected position and



832342

termination of DROP. Distribution of the DROP benefits shall be made as provided in paragraph (c).

(II) On or after July 1, 2010, the officer may continue employment as an elected officer but must defer termination as provided in s. 121.053.

Section 2. The Legislature finds that a proper and legitimate state purpose is served when employees and retirees of the state and its political subdivisions, and the dependents, survivors, and beneficiaries of such employees and retirees, are extended the basic protections afforded by governmental retirement systems. These persons must be provided benefits that are fair and adequate and that are managed, administered, and funded in an actuarially sound manner, as required by s. 14, Article X of the State Constitution and part VII of chapter 112, Florida Statutes. Therefore, the Legislature determines and declares that the amendments made to s. 121.091, Florida Statutes, by this act fulfills an important state interest.

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

And the title is amended as follows:

Delete line 3048

and insert:

An act relating to education; amending s. 121.091, F.S.; revising limitations on the maximum length of participation in the Deferred Retirement Option Program for certain instructional personnel and administrative personnel; requiring an employer to notify the Division of Retirement of the Department of Management Services regarding any change in



832342

157 termination date and program participation for each
158 affected member; providing a statement of important
159 state interest; creating s. 212.1832,



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LEGISLATIVE ACTION

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

Senate Amendment to Amendment (826696)

Delete lines 1091 - 1093
and insert:

this chapter;

(e) Participating in a home education program, as defined
in s. 1002.01; or

(f) Engaging in a substantiated incident of battery;
harassment; hazing; bullying; kidnapping; physical attack;
robbery; sexual offenses, harassment, assault, or battery;
threat or intimidation; or fighting at school.



877956

LEGISLATIVE ACTION

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

Senate Amendment to Amendment (826696)

Delete line 1139

and insert:

available funding;

b. Provide the victim, the alleged offender, and the student's parent with the contact information for not-for-profit community mental health centers or school-based mental health programs that offer one-on-one wrap-around services, including, but not limited to, student counseling and parental counseling that address the needs of the student and his or her family. The



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12 cost of the services shall be covered using the Hope
13 Supplemental Services Allocation and Mental Health Assistance
14 Allocation, as provided in the General Appropriations Act.
15 School districts may contract with not-for-profit community
16 mental health centers to provide one-on-one wrap-around
17 services; and



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LEGISLATIVE ACTION

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

Senate Amendment to Amendment (826696) (with title amendment)

Between lines 1796 and 1797
insert:

Section 18. Subsection (5) of section 1002.55, Florida Statutes, is amended to read:

1002.55 School-year prekindergarten program delivered by private prekindergarten providers.—

(5) (a) Notwithstanding paragraph (3) (b), a private prekindergarten provider may not participate in the Voluntary



682492

Prekindergarten Education Program if the provider has child disciplinary policies that do not prohibit children from being subjected to discipline that is severe, humiliating, frightening, or associated with food, rest, toileting, spanking, or any other form of physical punishment as provided in s. 402.305(12).

(b) Notwithstanding any other provision of law, if a private prekindergarten provider has been cited for a class I violation, as defined by rule, the coalition may refuse to contract with the provider.

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

And the title is amended as follows:

Delete line 3200
and insert:
tutoring programs; amending s. 1002.55, F.S.;
authorizing an early learning coalition to refuse to
contract with certain private prekindergarten
providers; amending s. 1003.01, F.S.;



232740

LEGISLATIVE ACTION

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

Senate Amendment to Amendment (826696) (with title amendment)

Between lines 1972 and 1973
insert:

Section 22. Section 1003.457, Florida Statutes, is created
to read:

1003.457 Instruction in cardiopulmonary resuscitation.—
(1) Each school district shall provide instruction in
cardiopulmonary resuscitation (CPR) and the use of an automated
external defibrillator. Students shall study and practice the



232740

psychomotor skills associated with performing CPR at least once before graduating from high school. The instruction shall be a part of the physical education curriculum or another required curriculum selected by the school district.

(2) The instruction shall be based on an instructional program established by:

(a) The American Heart Association;

(b) The American Red Cross; or

(c) Another nationally recognized program that uses the most current evidence-based emergency cardiovascular care guidelines.

(3) A student with a disability, as defined in s. 1007.02, is exempt from the requirements of this section.

Section 23. Subsection (3) of section 1003.453, Florida Statutes, is amended to read:

1003.453 School wellness and physical education policies; nutrition guidelines.—

(3) School districts are encouraged to provide basic training in first aid, ~~including cardiopulmonary resuscitation,~~ for all students, beginning in grade 6 and every 2 years thereafter. Private and public partnerships for providing training or necessary funding are encouraged.

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

And the title is amended as follows:

Delete line 3210

and insert:

than eight, credits in electives; creating s.

1003.457, F.S.; requiring school districts to provide



232740

41 instruction in cardiopulmonary resuscitation (CPR) and
42 the use of an automated external defibrillator;
43 requiring students to study and practice psychomotor
44 skills associated with CPR at least once before
45 graduating from high school; requiring the instruction
46 to be a part of a required curriculum; providing
47 instruction to be based on certain programs; providing
48 an exemption; amending s. 1003.453, F.S.; conforming
49 provisions to changes made by the act; amending s.



291336

LEGISLATIVE ACTION

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

Senate Amendment to Amendment (826696) (with title amendment)

Between lines 2029 and 2030
insert:

Section 23. Subsections (4) and (6) of section 1006.07, Florida Statutes, are amended, and subsection (7) is added to that section, to read:

1006.07 District school board duties relating to student discipline and school safety.—The district school board shall provide for the proper accounting for all students, for the



291336

attendance and control of students at school, and for proper attention to health, safety, and other matters relating to the welfare of students, including:

(4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

(a) Formulate and prescribe policies and procedures for emergency drills and for actual emergencies, including, but not limited to, fires, natural disasters, hostage and active shooter situations, and bomb threats, for all the public schools of the district which comprise grades K-12. District school board policies shall include commonly used alarm system responses for specific types of emergencies and verification by each school that drills have been provided as required by law and fire protection codes. The emergency response agency that is responsible for notifying the school district for each type of emergency must be listed in the district's emergency response policy.

(b) Establish model emergency management and emergency preparedness procedures, including emergency notification procedures pursuant to paragraph (a), for the following life-threatening emergencies:

1. Weapon-use, and hostage, and active shooter situations.
The active shooter situation training for each school must be conducted by the law enforcement agency or agencies that are designated as first responders to the school's campus.

2. Hazardous materials or toxic chemical spills.

3. Weather emergencies, including hurricanes, tornadoes, and severe storms.

4. Exposure as a result of a manmade emergency.

(6) SAFETY AND SECURITY BEST PRACTICES.—Each school



291336

district shall: ~~Use the Safety and Security Best Practices developed by the Office of Program Policy Analysis and Government Accountability to~~

(a) Conduct security risk assessments at each public school and conduct a self-assessment of the school districts' current safety and security practices using a format prescribed by the department. Based on these ~~self-assessment~~ findings, the district school superintendent shall provide recommendations to the district school board which identify strategies and activities that the district school board should implement in order to improve school safety and security. Annually each district school board must receive such findings and the superintendent's recommendations ~~the self-assessment results~~ at a publicly noticed district school board meeting to provide the public an opportunity to hear the district school board members discuss and take action on the ~~report~~ findings and recommendations. Each district school superintendent shall report such findings ~~the self-assessment results~~ and school board action to the commissioner within 30 days after the district school board meeting.

(b) Using a format prescribed by the department, develop a plan that includes having a secure, single point of entry onto school grounds.

(7) SAFETY IN CONSTRUCTION PLANNING.—A district school board or private school principal or governing board must allow the law enforcement agency or agencies that are designated as first responders to the school's or district's campus to tour such campus once every 3 years. Any changes related to school safety and emergency issues recommended by a law enforcement



291336

70 agency based on a campus tour must be documented by the district
71 school board or private school principal or governing board.

72 Section 24. Subsection (1) and paragraph (b) of subsection
73 (2) section 1006.12, Florida Statutes, are amended to read:

74 1006.12 School resource officers and school safety
75 officers.—

76 (1) District school boards shall ~~may~~ establish school
77 resource officer programs, through a cooperative agreement with
78 law enforcement agencies or in accordance with subsection (2).

79 (a) School resource officers shall be certified law
80 enforcement officers, as defined in s. 943.10(1), who are
81 employed by a law enforcement agency as defined in s. 943.10(4).
82 The powers and duties of a law enforcement officer shall
83 continue throughout the employee's tenure as a school resource
84 officer.

85 (b) School resource officers shall abide by district school
86 board policies and shall consult with and coordinate activities
87 through the school principal, but shall be responsible to the
88 law enforcement agency in all matters relating to employment,
89 subject to agreements between a district school board and a law
90 enforcement agency. Activities conducted by the school resource
91 officer which are part of the regular instructional program of
92 the school shall be under the direction of the school principal.

93 (2)

94 (b) A district school board shall ~~may~~ commission one or
95 more school safety officers for the protection and safety of
96 school personnel, property, and students at each district school
97 facility within the school district. The district school
98 superintendent may recommend and the district school board may



291336

99 appoint one or more school safety officers.

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

102 And the title is amended as follows:

103 Between lines 3212 and 3213

104 insert:

105 amending s. 1006.07, F.S.; requiring district school
106 boards to formulate and prescribe policies and
107 procedures for active shooter situations; requiring
108 that active shooter situation training for each school
109 be conducted by the law enforcement agency or agencies
110 that are designated as first responders to the
111 school's campus; requiring each school district to
112 conduct certain assessments in a specified format;
113 requiring a district school superintendent to provide
114 specified agencies with certain findings and certain
115 strategy and activity recommendations to improve
116 school safety and security; requiring that district
117 school boards and private school principals or
118 governing boards allow campus tours by such law
119 enforcement agency or agencies at specified times and
120 for specified purposes; requiring that certain
121 recommendations be documented by such board or
122 principal; amending s. 1006.12, F.S.; requiring,
123 rather than authorizing, district school boards to
124 establish certain school resource officer programs;
125 requiring a district school board to commission one or
126 more school safety officers at each district school
127 facility within the district;



206492

LEGISLATIVE ACTION

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

Senate Amendment to Amendment (826696) (with title amendment)

Between lines 2208 and 2209
insert:

Section 24. Subsections (9) and (10) of section 1008.22,
Florida Statutes, are amended to read:

1008.22 Student assessment program for public schools.—

(9) CONCORDANT SCORES.—The Commissioner of Education must
identify scores on the SAT, ~~and~~ ACT, the Spanish language
College Assessment and Admission Test (PEAU), and the revised



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version of the Spanish language University Admission Test (PAA) which ~~that~~ if achieved satisfy the graduation requirement that a student pass the grade 10 statewide, standardized Reading assessment or, upon implementation, the grade 10 ELA assessment. The commissioner may identify concordant scores on assessments other than the SAT, ~~and~~ ACT, PEAU, and PAA. The commissioner may waive passage of the grade 10 ELA assessment for students who earn the identified concordant scores on the PEAU or PAA. If the content or scoring procedures change for the grade 10 Reading assessment or, upon implementation, the grade 10 ELA assessment, new concordant scores must be determined. If new concordant scores are not timely adopted, the last-adopted concordant scores remain in effect until such time as new scores are adopted. The state board shall adopt concordant scores in rule.

(10) COMPARATIVE SCORES FOR END-OF-COURSE (EOC)
ASSESSMENT.—

(a) The Commissioner of Education must identify:

1. One or more comparative scores for the Algebra I EOC assessment. If the content or scoring procedures change for the EOC assessment, new comparative scores must be determined. If new comparative scores are not timely adopted, the last-adopted comparative scores remain in effect until such time as new scores are adopted; ~~and~~—

2. Comparative scores on the PEAU and the PAA assessments for the EOC assessments required under paragraph (3)(b). If the content or scoring procedures change for an EOC assessment, the commissioner must identify new comparative scores. If new comparative scores are not timely adopted, the last-adopted comparative scores remain in effect until such time as new



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scores are adopted.

(b) The state board shall adopt comparative scores in rule.

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

And the title is amended as follows:

Between lines 3225 and 3226

insert:

s. 1008.22, F.S.; requiring the Commissioner of
Education to identify concordant and comparative
scores on specified Spanish language college admission
tests which satisfy certain graduation requirements;
authorizing the commissioner to waive passage of the
grade 10 ELA for certain students; requiring the
commissioner to identify new scores under certain
circumstances; amending



675602

LEGISLATIVE ACTION

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

Senate Amendment to Amendment (826696) (with title amendment)

Delete lines 2527 - 2529
and insert:
subsection shall submit to the commissioner, the President of the Senate, and the Speaker of the House of Representatives, in a format prescribed by the department, a final report on its program outcomes and its expenditures for each element of the program. The report must contain, at a minimum:

1. The number of each of the following:



675602

- a. Student incidents reported;
- b. Students identified as at-risk;
- c. Students who receive school-based services or assistance;
- d. Students who receive services through a local community program or agency involved in mental health;
- e. Parents or guardians notified;
- f. Parents or guardians who followed up after notification to seek services for their students;
- g. School personnel who are trained to engage in the services, techniques, strategies, or programs identified in the plan required under this subsection;
- h. Student cases that result in the completion of the delivery of services; and
- i. Student cases that are re-referred; and
- 2. The origin of the referral for each student.

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

And the title is amended as follows:

Delete line 3247

and insert:

specific expenditures to the commissioner and the
Legislature by a



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LEGISLATIVE ACTION

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

Senate Amendment to Amendment (826696) (with title amendment)

Delete lines 2615 - 2645.

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

And the title is amended as follows:

Delete lines 3259 - 3262

and insert:

expenses; amending



775230

LEGISLATIVE ACTION

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

Senate Amendment to Amendment (826696) (with directory and title amendments)

Between lines 2776 and 2777
insert:

(b) In order to demonstrate eligibility for an award, an eligible classroom teacher must submit to the school district, no later than November 1, an official record of his or her qualifying assessment score and, beginning with the 2020-2021 school year, an official transcript demonstrating that he or she graduated cum laude or higher with a baccalaureate degree, if



775230

applicable. Once a classroom teacher is deemed eligible by the school district, the teacher shall remain eligible as long as he or she remains employed by the school district ~~as a classroom teacher~~ at the time of the award and receives an annual performance evaluation rating of highly effective pursuant to s. 1012.34 or is evaluated as highly effective based on a commissioner-approved student learning growth formula pursuant to s. 1012.34(8) for the 2019-2020 school year or thereafter.

==== D I R E C T O R Y C L A U S E A M E N D M E N T =====

And the directory clause is amended as follows:

Delete lines 2772 - 2773

and insert:

Section 30. Paragraphs (b) and (c) of subsection (3) of section 1012.731, Florida Statutes, are amended to read:

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

And the title is amended as follows:

Delete lines 3266 - 3267

and insert:

amending s. 1012.731, F.S.; revising the continuing eligibility requirements for a Florida Best and Brightest Teacher Scholarship Program award; deleting scholarship



114228

LEGISLATIVE ACTION

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

Senate Amendment to Amendment (826696) (with directory and title amendments)

Between lines 2776 and 2777
insert:

(b)1. In order to demonstrate eligibility for an award, an eligible classroom teacher must submit to the school district, no later than November 1, an official record of his or her qualifying assessment score and, beginning with the 2020-2021 school year, an official transcript demonstrating that he or she graduated cum laude or higher with a baccalaureate degree, if



114228

applicable. Once a classroom teacher is deemed eligible by the school district, the teacher shall remain eligible as long as he or she remains employed by the school district as a classroom teacher at the time of the award and receives an annual performance evaluation rating of highly effective pursuant to s. 1012.34 or is evaluated as highly effective based on a commissioner-approved student learning growth formula pursuant to s. 1012.34(8) for the 2019-2020 school year or thereafter.

2. A school district employee who, in the prior school year, was rated highly effective and met the eligibility requirements under this section as a classroom teacher, is eligible to receive a scholarship award during the current school year if he or she maintains employment with the school district.

=====
D I R E C T O R Y C L A U S E A M E N D M E N T
=====
And the directory clause is amended as follows:

Delete lines 2772 - 2773
and insert:

Section 30. Paragraphs (b) and (c) of subsection (3) of section 1012.731, Florida Statutes, are amended to read:

=====
T I T L E A M E N D M E N T
=====
And the title is amended as follows:

Delete lines 3266 - 3267
and insert:

amending s. 1012.731, F.S.; extending eligibility for the Florida Best and Brightest Teacher Scholarship Program to school district employees who, in the



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41 immediately preceding school year, were classroom
42 teachers and met eligibility requirements; deleting
43 scholarship



467400

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/21/2018	.	
	.	
	.	
	.	

The Committee on Education (Thurston) recommended the following:

Senate Substitute for Amendment (826696) (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsections (4) and (5) of section 1001.10,
Florida Statutes, are amended to read:

1001.10 Commissioner of Education; general powers and
duties.—

(4) The Department of Education shall provide technical
assistance to school districts, charter schools, the Florida



467400

School for the Deaf and the Blind, and private schools that accept scholarship students under s. 1002.385, s. 1002.39, ~~or~~ s. 1002.395, or another state scholarship program under chapter 1002 in the development of policies, procedures, and training related to employment practices and standards of ethical conduct for instructional personnel and school administrators, as defined in s. 1012.01.

(5) The Department of Education shall provide authorized staff of school districts, charter schools, the Florida School for the Deaf and the Blind, and private schools that accept scholarship students under s. 1002.385, s. 1002.39, ~~or~~ s. 1002.395, or another state scholarship program under chapter 1002 with access to electronic verification of information from the following employment screening tools:

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

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

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

Section 2. Section 1001.4205, Florida Statutes, is amended to read:

1001.4205 Visitation of schools ~~by an individual school board or charter school governing board member.~~-An individual



467400

member of a district school board may, on any day and at any time at his or her pleasure, visit any district school in his or her school district. An individual member of the State Legislature may, on any day and at any time at his or her pleasure, visit any district school, including any charter school, in his or her legislative district. An individual member of a charter school governing board ~~member~~ may, on any day and at any time at his or her pleasure, visit any charter school governed by the charter school's governing board.

(1) The visiting individual ~~board member~~ must sign in and sign out at the school's main office and wear his or her board or State Legislature identification badge, as applicable, at all times while present on school premises.

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

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

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

(5) A board, district, or school administrative policy or practice may not prohibit or limit the authority granted to the



467400

visiting individual ~~a board member~~ under this section.

Section 3. Paragraph (b) of subsection (6) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

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

(b) A sponsor shall receive and review all applications for a charter school using the evaluation instrument developed by the Department of Education. A sponsor shall receive and consider charter school applications received on or before August 1 of each calendar year for charter schools to be opened at the beginning of the school district's next school year, or to be opened at a time agreed to by the applicant and the sponsor. A sponsor may not refuse to receive a charter school application submitted before August 1 and may receive an application submitted later than August 1 if it chooses. Beginning in 2018 and thereafter, a sponsor shall receive and consider charter school applications received on or before February 1 of each calendar year for charter schools to be opened 18 months later at the beginning of the school district's school year, or to be opened at a time agreed to by the applicant and the sponsor. A sponsor may not refuse to receive a charter school application submitted before February 1 and may receive an application submitted later than February 1 if it chooses. A sponsor may not charge an applicant for a charter any fee for the processing or consideration of an application, and a sponsor may not base its consideration or approval of a final application upon the promise of future payment of any kind. Before approving or denying any application, the sponsor shall



467400

allow the applicant, upon receipt of written notification, at least 7 calendar days to make technical or nonsubstantive corrections and clarifications, including, but not limited to, corrections of grammatical, typographical, and like errors or missing signatures, if such errors are identified by the sponsor as cause to deny the final application.

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

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

3.a. A sponsor shall by a majority vote approve or deny an application no later than 90 calendar days after the application is received, unless the sponsor and the applicant mutually agree in writing to temporarily postpone the vote to a specific date, at which time the sponsor shall by a majority vote approve or deny the application. If the sponsor fails to act on the application, an applicant may appeal to the State Board of



467400

Education as provided in paragraph (c). If an application is denied, the sponsor shall, within 10 calendar days after such denial, articulate in writing the specific reasons, based upon good cause, supporting its denial of the application and shall provide the letter of denial and supporting documentation to the applicant and to the Department of Education.

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

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

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

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

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

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

Material noncompliance is a failure to follow requirements or a violation of prohibitions applicable to charter school applications, which failure is quantitatively or qualitatively



467400

significant either individually or when aggregated with other noncompliance. An applicant is considered to be replicating a high-performing charter school if the proposed school is substantially similar to at least one of the applicant's high-performing charter schools and the organization or individuals involved in the establishment and operation of the proposed school are significantly involved in the operation of replicated schools.

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

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

5. Upon approval of an application, the initial startup shall commence with the beginning of the public school calendar for the district in which the charter is granted. A charter school may defer the opening of the school's operations for up to 3 ~~2~~ years to provide time for adequate facility planning. The charter school must provide written notice of such intent to the



467400

186 sponsor and the parents of enrolled students at least 30
187 calendar days before the first day of school.

188 Section 4. Subsection (1) of section 1002.331, Florida
189 Statutes, is amended to read:

190 1002.331 High-performing charter schools.—

191 (1) A charter school is a high-performing charter school if
192 it:

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

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

200 (c) Did not receive a financial audit that revealed one or
201 more of the financial emergency conditions set forth in s.
202 218.503(1) in the most recent 3 fiscal years for which such
203 audits are available. However, this requirement is deemed met
204 for a charter school-in-the-workplace if there is a finding in
205 an audit that the school has the monetary resources available to
206 cover any reported deficiency or that the deficiency does not
207 result in a deteriorating financial condition pursuant to s.
208 1002.345(1)(a)3.

209
210 For purposes of determining initial eligibility, the
211 requirements of paragraphs (b) and (c) only apply to the most
212 recent 2 fiscal years if the charter school earns 2 consecutive
213 grades of "A." A virtual charter school established under s.
214 1002.33 is not eligible for designation as a high-performing



467400

charter school.

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

1002.333 Persistently low-performing schools.—

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

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

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

(c) "School of hope" means:

1. A charter school operated by a hope operator which serves students from one or more persistently low-performing schools, is located in the attendance zone of a persistently low-performing school, ~~or within a 5-mile radius of such school, whichever is greater,~~ and is a Title I eligible school; or

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

(2) HOPE OPERATOR.—A hope operator is a nonprofit organization with tax exempt status under s. 501(c)(3) of the



467400

Internal Revenue Code which ~~that~~ operates three or more charter schools that serve students in grades K-12 in Florida or other states with a record of serving students from low-income families and is designated by the State Board of Education as a hope operator based on a determination that:

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

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

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

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

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

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

6. Other outcome measures as determined by the State Board of Education;

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

(c) The operator receives funding through the National Fund of the Charter School Growth Fund to accelerate the growth of



467400

the nation's best charter schools; or

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

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

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

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

1. An academic focus and plan.
2. A financial plan.
3. Goals and objectives for increasing student achievement for the students from low-income families.
4. A completed or planned community outreach plan.
5. The organizational history of success in working with students with similar demographics.
6. The grade levels to be served and enrollment projections.
7. The specific ~~proposed~~ location or geographic area proposed for the school and its proximity to the persistently



467400

low-performing school or the plan to use the district-owned facilities of the persistently low-performing school.

8. A staffing plan.

9. An operations plan specifying the operator's intent to undertake the operations of the persistently low-performing school in its entirety or through limited components of the operations.

(5) PERFORMANCE-BASED AGREEMENT.—The following shall comprise the entirety of the performance-based agreement:

~~(b) The location or geographic area proposed for the school of hope and its proximity to the persistently low-performing school.~~

~~(f)-(g)~~ The grounds for termination, including failure to meet the requirements for student performance established pursuant to paragraph (d) ~~(e)~~, generally accepted standards of fiscal management, or material violation of terms of the agreement. The nonrenewal or termination of a performance-based agreement must comply with the requirements of s. 1002.33(8).

(h)-(i) A provision establishing the initial term as 5 years. The agreement must ~~shall~~ be renewed, upon the request of the hope operator, unless the school fails to meet the requirements for student performance established pursuant to paragraph (d) ~~(e)~~ or generally accepted standards of fiscal management or the school of hope materially violates the law or the terms of the agreement.

(7) FACILITIES.—

(a)1. A school of hope that meets the definition under subparagraph (1)(c)1. shall use facilities that comply with the Florida Building Code, except for the State Requirements for



467400

~~Educational Facilities. A school of hope that uses school district facilities must comply with the State Requirements for Educational Facilities only if the school district and the hope operator have entered into a mutual management plan for the reasonable maintenance of such facilities. The mutual management plan shall contain a provision by which the district school board agrees to maintain the school facilities in the same manner as its other public schools within the district.~~

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

The local governing authority shall not adopt or impose any local building requirements or site-development restrictions, such as parking and site-size criteria, student enrollment, and occupant load, that are addressed by and more stringent than those found in the State Requirements for Educational Facilities of the Florida Building Code. A local governing authority must treat schools of hope equitably in comparison to similar requirements, restrictions, and site planning processes imposed upon public schools. The agency having jurisdiction for



467400

inspection of a facility and issuance of a certificate of occupancy or use shall be the local municipality or, if in an unincorporated area, the county governing authority. If an official or employee of the local governing authority refuses to comply with this paragraph, the aggrieved school or entity has an immediate right to bring an action in circuit court to enforce its rights by injunction. An aggrieved party that receives injunctive relief may be awarded reasonable attorney fees and court costs.

(9) FUNDING.—

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

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

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

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

(e) Schools of hope that meet the definition under subparagraph (1)(c)2. are eligible to receive funds from the hope supplemental services allocation established under s. 1011.62(16).

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

(b) A traditional public school that is required to submit a plan for implementation pursuant to s. 1008.33(4) is eligible



467400

to receive funding for services authorized up to \$2,000 per
full-time equivalent student from the hope supplemental services
allocation established under s. 1011.62(16) Schools of Hope
Program based upon the strength of the school's plan for
implementation and its focus on evidence-based interventions
that lead to student success by providing wrap-around services
that leverage community assets, improve school and community
collaboration, and develop family and community partnerships.
Wrap-around services include, but are not limited to, tutorial
and after-school programs, student counseling, nutrition
education, parental counseling, and adult education. Plans for
implementation may also include models that develop a culture of
attending college, high academic expectations, character
development, dress codes, and an extended school day and school
year. At a minimum, a plan for implementation must:

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

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

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

4. Describe how the school district will identify, recruit,
retain, and reward instructional personnel. The state board may
waive the requirements of s. 1012.22(1)(c)5., and suspend the
requirements of s. 1012.34, to facilitate implementation of the
plan.

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



467400

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

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

Section 6. Section 1002.334, Florida Statutes, is created
to read:

1002.334 Franchise model schools.—

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

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

(3) A franchise model school principal:

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

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

(c) May allocate resources and personnel between the
schools under his or her administration; however, he or she must
expend hope supplemental services allocation funds, authorized



467400

under s. 1011.62(16), at the franchise model school; and

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

Section 7. Paragraph (d) of subsection (2) and subsection (8) of section 1002.385, Florida Statutes, are amended to read:

1002.385 The Gardiner Scholarship.—

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

(d) "Disability" means, for a 3- or 4-year-old child or for a student in kindergarten to grade 12, autism spectrum disorder, as defined in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, published by the American Psychiatric Association; cerebral palsy, as defined in s. 393.063(6); Down syndrome, as defined in s. 393.063(15); an intellectual disability, as defined in s. 393.063(24); Phelan-McDermid syndrome, as defined in s. 393.063(28); Prader-Willi syndrome, as defined in s. 393.063(29); spina bifida, as defined in s. 393.063(40); being a high-risk child, as defined in s. 393.063(23)(a); muscular dystrophy; Williams syndrome; a rare disease, a disorder that affects ~~diseases which affect~~ patient populations of ~~fewer than~~ 200,000 individuals or fewer in the United States, as defined by the Orphan Drug Act of 1983, Pub. L. No. 97-414 ~~National Organization for Rare Disorders~~; anaphylaxis; deaf; visually impaired; traumatic brain injured; hospital or homebound; or identification as dual sensory impaired, as defined by rules of the State Board of Education and evidenced by reports from local school districts. The term "hospital or homebound" includes a student who has a medically diagnosed physical or psychiatric condition or illness, as defined by the state board in rule, and who is confined to the



467400

home or hospital for more than 6 months.

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

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

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

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

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

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

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

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



467400

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

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

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

If a private school fails or refuses ~~is unable~~ to meet the requirements of this subsection or has consecutive years of material exceptions listed in the report required under paragraph (e), the commissioner may determine that the private school is ineligible to participate in the program.

Section 8. Paragraph (f) of subsection (6) and subsection (8) of section 1002.39, Florida Statutes, are amended to read:

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



467400

Disabilities Program.

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

(f)1. Conduct ~~random~~ site visits to private schools participating in the John M. McKay Scholarships for Students with Disabilities Program as authorized under s. 1002.421(7). The purposes ~~purpose~~ of the site visits are ~~is solely~~ to verify compliance with the provisions of subsection (7) aimed at protecting the health, safety, and welfare of students and to verify the information reported by the schools concerning the enrollment and attendance of students, the credentials of teachers, background screening of teachers, and teachers' fingerprinting results, which information is required by rules of the State Board of Education, subsection (8), and s. 1002.421. The Department of Education may not make followup more than three random site visits at any time to any school that has received a notice of noncompliance or a notice of proposed action within the previous 2 years pursuant to subsection (7) each year and may not make more than one random site visit each year to the same private school.

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



467400

the corrective action taken by the Department of Education.

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

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

(b) Provide to the department all documentation required for a student's participation, including the private school's and student's fee schedules, at least 30 days before any quarterly scholarship payment is made for the student pursuant to paragraph (11)(e). A student is not eligible to receive a quarterly scholarship payment if the private school fails to meet this deadline.

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

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

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

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

(e) If the private school that participates in a state scholarship program under this chapter receives more than \$250,000 in funds from scholarships awarded under chapter 1002 in a state fiscal year, provide an annual report from an independent certified public accountant who performs the agreed-



467400

upon procedures developed under s. 1002.395(6)(o). Such a private school must annually submit the required report by September 15 to the organization that awarded the majority of the school's scholarship funds. The agreed-upon procedures must be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants.

The failure or refusal ~~inability~~ of a private school to meet the requirements of this subsection shall constitute a basis for the ineligibility of the private school to participate in the scholarship program as determined by the department.

Section 9. Paragraph (o) of subsection (6), subsection (8), and paragraph (n) of subsection (9) of section 1002.395, Florida Statutes, are amended to read:

1002.395 Florida Tax Credit Scholarship Program.—

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

(o)1.a. Must participate in the joint development of agreed-upon procedures to be performed by an independent certified public accountant as required under paragraph (8)(e) if the scholarship-funding organization provided more than \$250,000 in scholarship funds to an eligible private school under this chapter ~~section~~ during the ~~2009–2010~~ state fiscal year. The agreed-upon procedures must uniformly apply to all private schools and must determine, at a minimum, whether the private school has been verified as eligible by the Department of Education under paragraph (9)(c); has an adequate accounting



467400

system, system of financial controls, and process for deposit and classification of scholarship funds; and has properly expended scholarship funds for education-related expenses. During the development of the procedures, the participating scholarship-funding organizations shall specify guidelines governing the materiality of exceptions that may be found during the accountant's performance of the procedures. The procedures and guidelines shall be provided to private schools and the Commissioner of Education by March 15, 2011.

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

c. Must monitor the compliance of a private school with paragraph (8)(e) if the scholarship-funding organization provided the majority of the scholarship funding to the school. For each private school subject to paragraph (8)(e), the appropriate scholarship-funding organization shall notify the Commissioner of Education by October 30, 2011, and annually thereafter of:

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

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



467400

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

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

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

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

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

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

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

2. Annually administering or making provision for students participating in the scholarship program in grades 3 through 10 to take one of the nationally norm-referenced tests identified by the Department of Education or the statewide assessments pursuant to s. 1008.22. Students with disabilities for whom



467400

standardized testing is not appropriate are exempt from this requirement. A participating private school must report a student's scores to the parent. A participating private school must annually report by August 15 the scores of all participating students to the Learning System Institute described in paragraph (9)(j).

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

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

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

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

(e) Provide a report from an independent certified public accountant who performs the agreed-upon procedures developed under paragraph (6)(o) if the private school receives more than \$250,000 in funds from scholarships awarded under this chapter ~~section~~ in a state fiscal year. A private school subject to this paragraph must annually submit the report by September 15 to the scholarship-funding organization that awarded the majority of the school's scholarship funds. The agreed-upon procedures must



467400

be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants.

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

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

(n)1. Conduct site visits to private schools participating in the Florida Tax Credit Scholarship Program as authorized under s. 1002.421(7). The purposes ~~purpose~~ of the site visits are ~~is solely~~ to verify compliance with the provisions of subsection (11) aimed at protecting the health, safety, and welfare of students and to verify the information reported by the schools concerning the enrollment and attendance of students, the credentials of teachers, background screening of teachers, and teachers' fingerprinting results. ~~The Department of Education may not make more than seven site visits each year, however,~~ The department may make followup ~~additional~~ site visits at any time to any school that, pursuant to subsection (11), has received a notice of noncompliance or a notice of proposed action within the previous 2 years.

2. Annually, by December 15, report to the Governor, the President of the Senate, and the Speaker of the House of Representatives the Department of Education's actions with



467400

respect to implementing accountability in the scholarship program under this section and s. 1002.421, any substantiated allegations or violations of law or rule by an eligible private school under this program concerning the enrollment and attendance of students, the credentials of teachers, background screening of teachers, and teachers' fingerprinting results and the corrective action taken by the Department of Education.

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

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

(1) (a) A Florida private school participating in the Florida Tax Credit Scholarship Program established pursuant to s. 1002.395 or an educational scholarship program established pursuant to this chapter must comply with all requirements of this section in addition to private school requirements outlined in s. 1002.42, specific requirements identified within respective scholarship program laws, and other provisions of Florida law that apply to private schools.

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

(2) A private school participating in a scholarship program



467400

must be a Florida private school as defined in s. 1002.01(2),
must be registered in accordance with s. 1002.42, and must:

(h) Employ or contract with teachers who:

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

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

The private school must report to the department, in a format developed by the department, the qualifications of each teacher hired by the school, including, but not limited to, an explanation of the objectively identified special skills or expertise of such teachers, as applicable. Additionally, the private school must provide to the parent of each scholarship student, on the school's website or on a written form provided by the school, the qualifications of each classroom teacher.

(i) Require each employee and contracted personnel with direct student contact, upon employment or engagement to provide services, to undergo a state and national background screening, pursuant to s. 943.0542, by electronically filing with the Department of Law Enforcement a complete set of fingerprints taken by an authorized law enforcement agency or an employee of



467400

the private school, a school district, or a private company who is trained to take fingerprints and deny employment to or terminate an employee if he or she fails to meet the screening standards under s. 435.04. Results of the screening shall be provided to the participating private school. For purposes of this paragraph:

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

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

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

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

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

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



467400

(b) Adopt and faithfully implement policies establishing standards of ethical conduct for instructional personnel and school administrators. The policies must require all instructional personnel and school administrators, as defined in s. 1012.01, to complete training on the standards; establish the duty of instructional personnel and school administrators to report, and procedures for reporting, alleged misconduct by other instructional personnel and school administrators which affects the health, safety, or welfare of a student; and include an explanation of the liability protections provided under ss. 39.203 and 768.095. A private school, or any of its employees, may not enter into a confidentiality agreement regarding terminated or dismissed instructional personnel or school administrators, or personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide the instructional personnel or school administrators with employment references or discuss the personnel's or administrators' performance with prospective employers in another educational setting, without disclosing the personnel's or administrators' misconduct. Any part of an agreement or contract that has the purpose or effect of concealing misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student is void, is contrary to public policy, and may not be enforced.

(c) Before employing instructional personnel or school administrators in any position that requires direct contact with students, conduct employment history checks of each of the



467400

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

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

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

Additionally, a private school is ineligible to participate in a state scholarship program under this chapter if the owner or operator of the private school was a debtor in a voluntary or involuntary bankruptcy petition within the most recent 5 years.

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

(b) The purposes of the site visits are to verify compliance with the provisions of this section aimed at protecting the health, safety, and welfare of students and to verify the information reported by the schools concerning the



467400

enrollment and attendance of students, the credentials of teachers, background screening of teachers, and teachers' fingerprinting results, as required by rules of the State Board of Education and this section.

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

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

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

(9) The Division of State Fire Marshal shall annually provide to the department a fire safety inspection report, prepared by the local fire departments or by entities with whom they contract to perform fire safety inspections of private schools, for each private school that participates in a state scholarship program under this chapter.

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



467400

911 ~~(11)(7)~~ The State Board of Education shall adopt rules
912 pursuant to ss. 120.536(1) and 120.54 to administer and enforce
913 this section.

914 Section 11. Paragraph (d) of subsection (2) of section
915 1003.41, Florida Statutes, is amended, and paragraph (f) is
916 added to that subsection, to read:

917 1003.41 Next Generation Sunshine State Standards.—

918 (2) Next Generation Sunshine State Standards must meet the
919 following requirements:

920 (d) Social Studies standards must establish specific
921 curricular content for, at a minimum, geography, United States
922 and world history, government, civics, humanities, and
923 economics, including financial literacy. Financial literacy
924 includes the knowledge, understanding, skills, behaviors,
925 attitudes, and values that will enable a student to make
926 responsible and effective financial decisions on a daily basis.
927 Financial literacy instruction shall be an integral part of
928 instruction throughout the entire economics course and include
929 information regarding earning income; buying goods and services;
930 saving and financial investing; taxes; the use of credit and
931 credit cards; budgeting and debt management, including student
932 loans and secured loans; banking and financial services;
933 planning for one's financial future, including higher education
934 and career planning; credit reports and scores; and fraud and
935 identity theft prevention. The requirements for financial
936 literacy specified under this paragraph do not apply to students
937 entering grade 9 in the 2018-2019 school year and thereafter.

938 (f) Effective for students entering grade 9 in the 2018-
939 2019 school year and thereafter, financial literacy standards



467400

940 must establish specific curricular content for, at a minimum,
941 personal financial literacy and money management. Financial
942 literacy includes instruction in the areas specified in s.
943 1003.4282(3)(h).

944 Section 12. Paragraphs (d) and (g) of subsection (3) of
945 section 1003.4282, Florida Statutes, are amended, and paragraph
946 (h) is added to that subsection, to read:

947 1003.4282 Requirements for a standard high school diploma.—

948 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT
949 REQUIREMENTS.—

950 (d) *Three credits in social studies.*—A student must earn
951 one credit in United States History; one credit in World
952 History; one-half credit in economics, which must include
953 financial literacy; and one-half credit in United States
954 Government. The United States History EOC assessment constitutes
955 30 percent of the student's final course grade. However, for a
956 student entering grade 9 in the 2018-2019 school year or
957 thereafter, financial literacy is not a required component of
958 the one-half credit in economics.

959 (g) ~~Eight~~ *Credits in Electives.*—School districts must
960 develop and offer coordinated electives so that a student may
961 develop knowledge and skills in his or her area of interest,
962 such as electives with a STEM or liberal arts focus. Such
963 electives must include opportunities for students to earn
964 college credit, including industry-certified career education
965 programs or series of career-themed courses that result in
966 industry certification or articulate into the award of college
967 credit, or career education courses for which there is a
968 statewide or local articulation agreement and which lead to



467400

college credit. A student entering grade 9 before the 2018-2019 school year must earn eight credits in electives. A student entering grade 9 in the 2018-2019 school year or thereafter must earn seven and one-half credits in electives.

(h) One-half credit in personal financial literacy.—
Beginning with students entering grade 9 in the 2018-2019 school year, each student shall earn one-half credit in personal financial literacy and money management. This instruction must include discussion of or instruction in the following:

1. Types of bank accounts offered, opening and managing a bank account, and assessing the quality of a depository institution's services.

2. Balancing a checkbook.

3. Basic principles of money management, such as spending, credit, credit scores, and managing debt, including retail and credit card debt.

4. Completing a loan application.

5. Receiving an inheritance and related implications.

6. Basic principles of personal insurance policies.

7. Computing federal income taxes.

8. Local tax assessments.

9. Computing interest rates by various mechanisms.

10. Simple contracts.

11. Contesting an incorrect billing statement.

12. Types of savings and investments.

13. State and federal laws concerning finance.

Section 13. Section 1006.061, Florida Statutes, is amended to read:

1006.061 Child abuse, abandonment, and neglect policy.—Each



467400

district school board, charter school, and private school that accepts scholarship students under s. 1002.385, s. 1002.39, ~~or~~ s. 1002.395, or another state scholarship program under chapter 1002 shall:

(1) Post in a prominent place in each school a notice that, pursuant to chapter 39, all employees and agents of the district school board, charter school, or private school have an affirmative duty to report all actual or suspected cases of child abuse, abandonment, or neglect; have immunity from liability if they report such cases in good faith; and have a duty to comply with child protective investigations and all other provisions of law relating to child abuse, abandonment, and neglect. The notice shall also include the statewide toll-free telephone number of the central abuse hotline.

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

(3) Require the principal of the charter school or private school, or the district school superintendent, or the superintendent's designee, at the request of the Department of Children and Families, to act as a liaison to the Department of Children and Families and the child protection team, as defined in s. 39.01, when in a case of suspected child abuse,



467400

abandonment, or neglect or an unlawful sexual offense involving a child the case is referred to such a team; except that this does not relieve or restrict the Department of Children and Families from discharging its duty and responsibility under the law to investigate and report every suspected or actual case of child abuse, abandonment, or neglect or unlawful sexual offense involving a child.

(4) (a) Post in a prominent place in a clearly visible location and public area of the school which is readily accessible to and widely used by students a sign in English and Spanish that contains:

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

2. Instructions to call 911 for emergencies; and

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

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

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

Section 14. Section 1007.273, Florida Statutes, is amended to read:

1007.273 Structured high school acceleration programs
~~Collegiate high school program.~~—



467400

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

(1)(2) PURPOSE.—At a minimum, structured ~~collegiate high school~~ programs must include an option for public school students in grade 11 or grade 12 participating in the structured program, for at least 1 full school year, to earn CAPE industry certifications pursuant to s. 1008.44, and to successfully complete at least 30 credit hours through the dual enrollment program under s. 1007.271. The structured program must prioritize dual enrollment courses that are applicable toward general education core courses or common prerequisite course requirements under s. 1007.25 over dual enrollment courses applicable as electives toward at least the first year of college for an associate degree or baccalaureate degree while enrolled in the structured program. A district school board may not limit the number of eligible public school students who may enroll in such structured programs.

(2)(3) REQUIRED STRUCTURED PROGRAM CONTRACTS.—

(a) Each district school board and its local Florida College System institution shall execute a contract to establish one or more structured ~~collegiate high school~~ programs at a mutually agreed upon location or locations. ~~Beginning with the 2015-2016 school year,~~ If the local Florida College System institution does not establish a structured program with a district school board in its designated service area, another



467400

Florida College System institution may execute a contract with that district school board to establish the structured program. The contract must be executed by January 1 of each school year for implementation of the structured program during the next school year. By August 1, 2018, a contract entered into before January 1, 2018, for the 2018-2019 school year must be modified to include the provisions of paragraph (b).

(b) The contract must:

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

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

3.-(c) Describe the methods, medium, and process by which students and their parents are annually informed about the availability of the structured ~~collegiate high school~~ program, the return on investment associated with participation in the structured program, and the information described in



467400

subparagraphs 1. and 2.; ~~paragraphs (a) and (b).~~

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

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

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

7.~~(g)~~ Describe the terms of funding arrangements to implement the structured ~~collegiate high school~~ program pursuant to paragraph (5) (a).

(3) STUDENT PERFORMANCE CONTRACT AND NOTIFICATION.-

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

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

1. The method for earning college credit through participation in the structured program. The notification must



467400

include website links to the dual enrollment course equivalency list approved by the State Board of Education; the common degree program prerequisite requirements published by the Articulation Coordinating Committee pursuant to s. 1007.01(3)(f); the industry certification articulation agreements adopted by the State Board of Education in rule; and the approved meta-major academic pathways of the partner Florida College System institution and other eligible partner postsecondary institutions participating pursuant to subsection (4); and

2. The estimated cost savings to students and their families resulting from students successfully completing 30 credit hours applicable toward general education core courses or common prerequisite course requirements before graduating from high school versus the cost of earning such credit hours after graduating from high school.

(4)-(5) AUTHORIZED STRUCTURED PROGRAM CONTRACTS.—In addition to executing a contract with the local Florida College System institution under this section, a district school board may execute a contract to establish a structured ~~collegiate high school~~ program with a state university or an institution that is eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program, that is a nonprofit independent college or university located and chartered in this state, and that is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to grant baccalaureate degrees. Such university or institution must meet the requirements specified under subsections (2) ~~(3)~~ and (3). A charter school may execute a contract directly with the local Florida College System institution or another institution as



467400

authorized under this section to establish a structured program
at a mutually agreed upon location ~~(4)~~.

(5) FUNDING.—

~~(a)(6)~~ The structured ~~collegiate high school~~ program shall
be funded pursuant to ss. 1007.271 and 1011.62. The State Board
of Education shall enforce compliance with this section by
withholding the transfer of funds for the school districts ~~and~~
~~the Florida College System institutions~~ in accordance with s.
1008.32. Annually, by December 31, the State Board of Education
shall enforce compliance with this section by withholding the
transfer of funds for the Florida College System institutions in
accordance with s. 1008.32

(b) A student who enrolls in the structured program and
successfully completes at least 30 college credit hours during a
school year through the dual enrollment program under s.
1007.271 generates a 0.5 full-time equivalent (FTE) bonus. A
student who enrolls in the structured program and successfully
completes an additional 30 college credit hours during a school
year, resulting in at least 60 college credit hours through the
dual enrollment program under s. 1007.271 applicable toward
fulfilling the requirements for an associate in arts degree or
an associate in science degree or a baccalaureate degree
pursuant to the student performance contract under subsection
(3), before graduating from high school, generates an additional
0.5 FTE bonus. Each district school board that is a contractual
partner with a Florida College System institution or other
eligible postsecondary institution shall report to the
commissioner the total FTE bonus for each structured program for
the students from that school district. The total FTE bonus



467400

shall be added to each school district's total weighted FTE for funding in the subsequent fiscal year.

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

(6) REPORTING REQUIREMENTS.—

(a) By September 1 of each school year, each district school superintendent shall report to the commissioner, at a minimum, the following information on each structured program administered during the prior school year:

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

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

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

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

(b) By November 30 of each school year, the commissioner must report to the Governor, the President of the Senate, and the Speaker of the House of Representatives the status of structured programs, including, at a minimum, a summary of student enrollment and completion information pursuant to this subsection; barriers, if any, to establishing such programs; and



467400

recommendations for expanding access to such programs statewide.

Section 15. Paragraph (c) of subsection (3) and subsection (4) of section 1008.33, Florida Statutes, are amended to read:

1008.33 Authority to enforce public school improvement.—

(3)

(c) The state board shall adopt by rule a differentiated matrix of intervention and support strategies for assisting traditional public schools identified under this section and rules for implementing s. 1002.33(9)(n), relating to charter schools.

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

a. Improvement planning;

b. Leadership quality improvement;

c. Educator quality improvement;

d. Professional development;

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

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

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

(4)(a) The state board shall apply intensive intervention and support strategies tailored to the needs of schools earning



467400

two consecutive grades of "D" or a grade of "F." In the first full school year after a school initially earns two consecutive grades of "D" or a grade of "F," the school district must immediately implement intervention and support strategies prescribed in rule under paragraph (3)(c) and, by September 1, provide the department with the memorandum of understanding negotiated pursuant to s. 1001.42(21) and, by October 1, a district-managed turnaround plan for approval by the state board. The district-managed turnaround plan may include a proposal for the district to implement an extended school day, a summer program, or a combination of an extended school day and summer program. Upon approval by the state board, the school district must implement the plan for the remainder of the school year and continue the plan for 1 full school year. The state board may allow a school an additional year of implementation before the school must implement a turnaround option required under paragraph (b) if it determines that the school is likely to improve to a grade of "C" or higher after the first full school year of implementation.

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

1. Reassign students to another school and monitor the progress of each reassigned student. ~~+~~

2. Close the school and reopen the school as one or more charter schools, each with a governing board that has a



467400

demonstrated record of effectiveness. Such charter schools are eligible for funding from the hope supplemental services allocation established by s. 1011.62(16). ~~or~~

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

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

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

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

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

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



467400

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

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

(d) If a school ~~earning two consecutive grades of "D" or a grade of "F"~~ does not improve to a grade of "C" or higher after 2 full school years of implementing the turnaround option selected by the school district under paragraph (b), the school district must implement another turnaround option. Implementation of the turnaround option must begin the school year following the implementation period of the existing turnaround option, unless the state board determines that the school is likely to improve to a grade of "C" or higher if additional time is provided to implement the existing turnaround option.

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

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each



467400

district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(a) *Estimated taxable value calculations.*—

1.a. Not later than 2 working days before July 19, the Department of Revenue shall certify to the Commissioner of Education its most recent estimate of the taxable value for school purposes in each school district and the total for all school districts in the state for the current calendar year based on the latest available data obtained from the local property appraisers. The value certified shall be the taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraphs (c) and (d), or an assessment roll change required by final judicial decisions as specified in paragraph (19) (b) ~~(16) (b)~~. Not later than July 19, the Commissioner of Education shall compute a millage rate, rounded to the next highest one one-thousandth of a mill, which, when applied to 96 percent of the estimated state total taxable value for school purposes, would generate the prescribed aggregate required local effort for that year for all districts. The Commissioner of Education



467400

shall certify to each district school board the millage rate, computed as prescribed in this subparagraph, as the minimum millage rate necessary to provide the district required local effort for that year.

b. The General Appropriations Act shall direct the computation of the statewide adjusted aggregate amount for required local effort for all school districts collectively from ad valorem taxes to ensure that no school district's revenue from required local effort millage will produce more than 90 percent of the district's total Florida Education Finance Program calculation as calculated and adopted by the Legislature, and the adjustment of the required local effort millage rate of each district that produces more than 90 percent of its total Florida Education Finance Program entitlement to a level that will produce only 90 percent of its total Florida Education Finance Program entitlement in the July calculation.

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

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

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



467400

(14) QUALITY ASSURANCE GUARANTEE.—The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to each school district. The guarantee shall be calculated from prior year base funding per unweighted FTE student which shall include the adjusted FTE dollars as provided in subsection (19) ~~(16)~~, quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection (19) ~~(16)~~ and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

(16) HOPE SUPPLEMENTAL SERVICES ALLOCATION.—The hope supplemental services allocation is created to provide district-managed turnaround schools, as required under s. 1008.33(4)(a), charter schools authorized under s. 1008.33(4)(b)2., district-managed charter schools authorized under s. 1008.33(4)(b)3.a., schools of hope authorized under s. 1008.33(4)(b)3.b., and franchise model schools as authorized under s. 1008.33(4)(b)4.,



467400

with funds to offer services designed to improve the overall
academic and community welfare of the schools' students and
their families.

(a) Services funded by the allocation may include, but are
not limited to, tutorial and after-school programs, student
counseling, nutrition education, and parental counseling. In
addition, services may also include models that develop a
culture that encourages students to complete high school and to
attend college or career training, set high academic
expectations, inspire character development, and include an
extended school day and school year.

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

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

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

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

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

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

5. Provide professional development that focuses on



467400

academic rigor, direct instruction, and creating high academic and character standards; and

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

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

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

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



467400

(17) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental health assistance allocation is created to provide supplemental funding to assist school districts in establishing or expanding comprehensive school-based mental health programs that increase awareness of mental health issues among children and school-age youth; train educators and other school staff in detecting and responding to mental health issues; and connect children, youth, and families who may experience behavioral health issues with appropriate services. These funds may be allocated annually in the General Appropriations Act to each eligible school district and developmental research school based on each entity's proportionate share of Florida Education Finance Program base funding. The district funding allocation must include a minimum amount as specified in the General Appropriations Act. Upon submission and approval of a plan that includes the elements specified in paragraph (b), charter schools are also entitled to a proportionate share of district funding for this program. The allocated funds may not supplant funds that are provided for this purpose from other operating funds and may not be used to increase salaries or provide bonuses.

(a) Prior to the distribution of the allocation:

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

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



467400

commissioner.

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

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

2. Programs to assist students in dealing with bullying, trauma, and violence;

3. Strategies or programs to reduce the likelihood of at-risk students developing social, emotional, or behavioral health problems or substance use disorders;

4. Strategies to improve the early identification of social, emotional, or behavioral problems or substance use disorders and to improve the provision of early intervention services;

5. Strategies to enhance the availability of school-based crisis intervention services and appropriate referrals for students in need of mental health services; and

6. Training opportunities for school personnel in the techniques and supports needed to identify students who have trauma histories and who have or are at risk of having a mental illness, and in the use of referral mechanisms that effectively link such students to appropriate treatment and intervention services in the school and in the community.

(c) The districts shall submit approved plans to the commissioner by August 1 of each fiscal year.

(d) Beginning September 30, 2019, and by each September 30 thereafter, each entity that receives an allocation under this



467400

subsection shall submit to the commissioner, in a format prescribed by the department, a final report on its program outcomes and its expenditures for each element of the program.

(18) FUNDING COMPRESSION ALLOCATION.—The Legislature may provide an annual funding compression allocation in the General Appropriations Act. The allocation is created to provide additional funding to school districts and developmental research schools whose total funds per FTE in the prior year were less than the statewide average. Using the most recent prior year FEFP calculation for each eligible school district, the total funds per FTE shall be subtracted from the state average funds per FTE, not including any adjustments made pursuant to paragraph (19) (b). The resulting funds per FTE difference, or a portion thereof, as designated in the General Appropriations Act, shall then be multiplied by the school district's total unweighted FTE to provide the allocation. If the calculated funds are greater than the amount included in the General Appropriations Act, they must be prorated to the appropriation amount based on each participating school district's share.

Section 17. Subsection (5) of section 1011.69, Florida Statutes, is amended to read:

1011.69 Equity in School-Level Funding Act.—

(5) After providing Title I, Part A, Basic funds to schools above the 75 percent poverty threshold, which may include high schools above the 50 percent threshold as allowed by federal law, school districts shall provide any remaining Title I, Part A, Basic funds directly to all eligible schools as provided in this subsection. For purposes of this subsection, an eligible



467400

school is a school that is eligible to receive Title I funds, including a charter school. The threshold for identifying eligible schools may not exceed the threshold established by a school district for the 2016-2017 school year or the statewide percentage of economically disadvantaged students, as determined annually.

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

1. One percent for parent involvement, in addition to the one percent the district must reserve under federal law for allocations to eligible schools for parent involvement;

2. A necessary and reasonable amount for administration;¹⁷

~~3. which includes The district's approved indirect cost rate, not to exceed a total of 8 percent; and~~

~~4.3. A reasonable and necessary amount to provide:~~

a. Homeless programs;

b. Delinquent and neglected programs;

c. Prekindergarten programs and activities;

d. Private school equitable services; and

e. Transportation for foster care children to their school of origin or choice programs; ~~and-~~

5. A necessary and reasonable amount for eligible schools to provide:

a. Extended learning opportunities, such as summer school, before-school and after-school programs, and additional class periods of instruction during the school day; and

b. Supplemental academic and enrichment services, staff development, and planning and curriculum, as well as wrap-around services.



467400

(b) All remaining Title I funds shall be distributed to all eligible schools in accordance with federal law and regulation. To maximize the efficient use of resources, school districts may allow eligible schools, not including charter schools, to An ~~eligible school may~~ use funds under this subsection for district-level to participate in discretionary educational services provided by the school district.

Section 18. Subsection (5) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.—

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

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

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



467400

of the school district.

Section 19. Section 1012.315, Florida Statutes, is amended to read:

1012.315 Disqualification from employment.—A person is ineligible for educator certification, and instructional personnel and school administrators, as defined in s. 1012.01, are ineligible for employment in any position that requires direct contact with students in a district school system, charter school, or private school that accepts scholarship students under s. 1002.385, s. 1002.39, ~~or~~ s. 1002.395, or another state scholarship program under chapter 1002, if the person, instructional personnel, or school administrator has been convicted of:

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

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

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

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

(d) Section 782.04, relating to murder.

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



467400

(f) Section 784.021, relating to aggravated assault.

(g) Section 784.045, relating to aggravated battery.

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

(i) Section 787.01, relating to kidnapping.

(j) Section 787.02, relating to false imprisonment.

(k) Section 787.025, relating to luring or enticing a child.

(l) Section 787.04(2), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending custody proceedings.

(m) Section 787.04(3), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending dependency proceedings or proceedings concerning alleged abuse or neglect of a minor.

(n) Section 790.115(1), relating to exhibiting firearms or weapons at a school-sponsored event, on school property, or within 1,000 feet of a school.

(o) Section 790.115(2)(b), relating to possessing an electric weapon or device, destructive device, or other weapon at a school-sponsored event or on school property.

(p) Section 794.011, relating to sexual battery.

(q) Former s. 794.041, relating to sexual activity with or solicitation of a child by a person in familial or custodial authority.

(r) Section 794.05, relating to unlawful sexual activity



467400

1694 with certain minors.

1695 (s) Section 794.08, relating to female genital mutilation.

1696 (t) Chapter 796, relating to prostitution.

1697 (u) Chapter 800, relating to lewdness and indecent

1698 exposure.

1699 (v) Section 806.01, relating to arson.

1700 (w) Section 810.14, relating to voyeurism.

1701 (x) Section 810.145, relating to video voyeurism.

1702 (y) Section 812.014(6), relating to coordinating the

1703 commission of theft in excess of \$3,000.

1704 (z) Section 812.0145, relating to theft from persons 65

1705 years of age or older.

1706 (aa) Section 812.019, relating to dealing in stolen

1707 property.

1708 (bb) Section 812.13, relating to robbery.

1709 (cc) Section 812.131, relating to robbery by sudden

1710 snatching.

1711 (dd) Section 812.133, relating to carjacking.

1712 (ee) Section 812.135, relating to home-invasion robbery.

1713 (ff) Section 817.563, relating to fraudulent sale of

1714 controlled substances.

1715 (gg) Section 825.102, relating to abuse, aggravated abuse,

1716 or neglect of an elderly person or disabled adult.

1717 (hh) Section 825.103, relating to exploitation of an

1718 elderly person or disabled adult.

1719 (ii) Section 825.1025, relating to lewd or lascivious

1720 offenses committed upon or in the presence of an elderly person

1721 or disabled person.

1722 (jj) Section 826.04, relating to incest.



467400

(kk) Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child.

(ll) Section 827.04, relating to contributing to the delinquency or dependency of a child.

(mm) Section 827.071, relating to sexual performance by a child.

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

(oo) Chapter 847, relating to obscenity.

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

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

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

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

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

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

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

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



467400

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

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

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

Section 20. Paragraph (c) of subsection (3) of section 1012.731, Florida Statutes, is amended to read:

1012.731 The Florida Best and Brightest Teacher Scholarship Program.—

(3)

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

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

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



467400

~~per teacher scholarship amount.~~

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

Section 21. Subsections (2), (3), and (4) of section 1012.732, Florida Statutes, are amended to read:

1012.732 The Florida Best and Brightest Principal Scholarship Program.—

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

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

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

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



467400

scholarship.

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

(b) A scholarship of \$5,000 must be awarded to each school principal assigned to a Title I school and a scholarship of \$4,000 to each ~~every~~ eligible school principal who is not assigned to a Title I school and who is eligible under paragraph (3)(a).

Section 22. Paragraph (e) of subsection (1) of section 1012.796, Florida Statutes, is amended to read:

1012.796 Complaints against teachers and administrators; procedure; penalties.—

(1)

(e) If allegations arise against an employee who is certified under s. 1012.56 and employed in an educator-certificated position in any public school, charter school or governing board thereof, or private school that accepts scholarship students under s. 1002.385, s. 1002.39, or s. 1002.395, or another state scholarship program under chapter 1002, the school shall file in writing with the department a legally sufficient complaint within 30 days after the date on which the subject matter of the complaint came to the attention of the school. A complaint is legally sufficient if it contains ultimate facts that show a violation has occurred as provided in s. 1012.795 and defined by rule of the State Board of Education. The school shall include all known information relating to the complaint with the filing of the complaint. This paragraph does not limit or restrict the power and duty of the department to



467400

investigate complaints, regardless of the school's untimely filing, or failure to file, complaints and followup reports.

Section 23. Present paragraphs (a) through (d) of subsection (1) of section 1013.31, Florida Statutes, are redesignated as paragraphs (b) through (e), respectively, and a new paragraph (a) is added to that subsection, to read:

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

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

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



467400

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

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

3. One-half cent sales surtax revenue;

4. One cent local governmental surtax revenue;

5. Impact fees; and

6. Private gifts or donations.

Section 24. Paragraph (e) is added to subsection (2) of section 1013.385, Florida Statutes, to read:

1013.385 School district construction flexibility.—

(2) A resolution adopted under this section may propose implementation of exceptions to requirements of the uniform statewide building code for the planning and construction of public educational and ancillary plants adopted pursuant to ss. 553.73 and 1013.37 relating to:

(e) Any other provisions that limit the ability of a school to operate in a facility on the same basis as a charter school pursuant to s. 1002.33(18) if the regional planning council determines that there is sufficient shelter capacity within the school district as documented in the Statewide Emergency Shelter Plan.

Section 25. Subsection (3) of section 1013.62, Florida Statutes, is amended, and paragraph (c) is added to subsection (1) of that section, to read:

1013.62 Charter schools capital outlay funding.—

(1) Charter school capital outlay funding shall consist of



467400

revenue resulting from the discretionary millage authorized in s. 1011.71(2) and state funds when such funds are appropriated in the General Appropriations Act.

(c) It is the intent of the Legislature that the public interest be protected by prohibiting personal financial enrichment by owners, operators, managers, real estate developers, and other affiliated parties of charter schools. Therefore, a charter school is not eligible for a funding allocation unless the chair of the governing board and the chief administrative officer of the charter school annually certify under oath that the funds will be used solely and exclusively for constructing, renovating, or improving charter school facilities that are:

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

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

3. Owned by and leased, at a fair market value in the school district in which the charter school is located, from a person or entity that is not an affiliated party of the charter school. For the purposes of this subparagraph, the term "affiliated party of the charter school" means the applicant for the charter school pursuant to s. 1002.33; the governing board



467400

of the charter school or a member of the governing board; the
charter school owner; the charter school principal; an employee
of the charter school; an independent contractor of the charter
school or the governing board of the charter school; a relative,
as defined in s. 1002.33(24)(a)2., of a charter school governing
board member, a charter school owner, a charter school
principal, a charter school employee, or an independent
contractor of a charter school or charter school governing
board; a subsidiary corporation, a service corporation, an
affiliated corporation, a parent corporation, a limited
liability company, a limited partnership, a trust, a
partnership, or a related party that, individually or through
one or more entities, shares common ownership or control and
directly or indirectly manages, administers, controls, or
oversees the operation of the charter school; or any person or
entity, individually or through one or more entities that share
common ownership, which directly or indirectly manages,
administers, controls, or oversees the operation of any of the
foregoing.

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

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



467400

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

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

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

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



467400

charter school's capital outlay allocation from local funds.

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

Section 26. For the 2018-2019 fiscal year, the sum of \$596,560 in recurring funds from the General Revenue Fund and the sum of \$392,134 in nonrecurring funds from the General Revenue Fund are appropriated to the Department of Education to implement this act as follows: the sum of \$596,560 in recurring funds and \$142,134 in nonrecurring funds shall be used to implement the additional oversight requirements pursuant to s. 1002.421, Florida Statutes, and the sum of \$250,000 in nonrecurring funds shall be used to issue a competitive grant award pursuant to s. 1002.395(9), Florida Statutes.

Section 27. This act shall take effect July 1, 2018.

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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to education; amending s. 1001.10, F.S.; revising the private schools to which the Department of Education is required to provide technical assistance and authorized staff; amending s. 1001.4205, F.S.; authorizing a member of the State Legislature to visit any district school, including any charter school, in his or her legislative district; amending s. 1002.33, F.S.; extending the



467400

2013 period of time for which a charter school may defer
2014 its opening for specified reasons; amending s.
2015 1002.331, F.S.; revising the requirements for a
2016 charter school to be considered a high-performing
2017 charter school; amending s. 1002.333, F.S.; redefining
2018 the terms "persistently low-performing school" and
2019 "school of hope"; revising the required contents of a
2020 school of hope notice of intent and performance-based
2021 agreement; revising school of hope facility
2022 requirements; specifying that certain schools of hope
2023 are eligible to receive hope supplemental service
2024 allocation funds; requiring the State Board of
2025 Education to provide awards to all eligible schools
2026 that meet certain requirements; prohibiting a school
2027 of hope operator or owner from serving as the
2028 principal of a school of hope that he or she manages;
2029 conforming cross-references; creating s. 1002.334,
2030 F.S.; defining the term "franchise model school";
2031 authorizing specified schools to use a franchise model
2032 school as a turnaround option; specifying requirements
2033 for a franchise model school principal; amending s.
2034 1002.385, F.S.; revising the meaning of a rare disease
2035 within the definition of a "disability" for purposes
2036 of the Gardiner Scholarship Program; specifying that
2037 the failure or refusal, rather than the inability of,
2038 a private school to meet certain requirements
2039 constitutes a basis for program ineligibility;
2040 amending s. 1002.39, F.S.; revising the purpose of
2041 department site visits at private schools



467400

2042 participating in the John M. McKay Scholarships for
2043 Students with Disabilities Program; authorizing the
2044 department to make followup site visits at any time to
2045 certain private schools; requiring participating
2046 private schools to provide a specified report from an
2047 independent certified public accountant under certain
2048 circumstances; specifying that the failure or refusal,
2049 rather than the inability of, a private school to meet
2050 certain requirements constitutes a basis for program
2051 ineligibility; conforming provisions to changes made
2052 by the act; amending s. 1002.395, F.S.; revising
2053 obligations of eligible nonprofit scholarship-funding
2054 organizations participating in the Florida Tax Credit
2055 Scholarship Program; specifying that the failure or
2056 refusal, rather than the inability of, a private
2057 school to meet certain requirements constitutes a
2058 basis for program ineligibility; revising the purpose
2059 of department site visits at private schools
2060 participating in the Florida Tax Credit Scholarship
2061 Program; authorizing the department to make followup
2062 site visits at any time to certain private schools;
2063 conforming provisions to changes made by the act;
2064 amending s. 1002.421, F.S.; defining the term "owner
2065 or operator"; requiring a private school to employ or
2066 contract with teachers who meet certain qualifications
2067 and provide information about such qualifications to
2068 the department and parents; revising the conditions
2069 under which a private school employee may be exempted
2070 from background screening requirements; specifying



467400

2071 that a private school is ineligible to participate in
2072 certain scholarship programs under certain
2073 circumstances; requiring the department to annually
2074 visit a certain percentage of certain private schools;
2075 authorizing the department to make certain followup
2076 site visits at any time; requiring the Division of
2077 State Fire Marshal to annually provide the department
2078 with fire safety inspection reports for certain
2079 private schools; requiring that certain private
2080 schools provide the department with a report from an
2081 independent certified public accountant under certain
2082 circumstances; amending s. 1003.41, F.S.; revising the
2083 requirements for the Next Generation Sunshine State
2084 Standards to include financial literacy; amending s.
2085 1003.4282, F.S.; revising the required credits for a
2086 standard high school diploma to include one-half
2087 credit of instruction in personal financial literacy
2088 and money management and seven and one-half, rather
2089 than eight, credits in electives; amending s.
2090 1006.061, F.S.; revising the applicability of certain
2091 child abuse, abandonment, and neglect provisions;
2092 amending s. 1007.273, F.S.; defining the term
2093 "structured program"; providing additional options for
2094 students participating in a structured program;
2095 prohibiting a district school board from limiting the
2096 number of public school students who may participate
2097 in a structured program; revising contract
2098 requirements; requiring each district school board to
2099 annually notify students in certain grades of certain



467400

2100 information about the structured program by a
2101 specified date; revising provisions relating to
2102 funding; requiring the state board to enforce
2103 compliance with certain provisions by a specified date
2104 each year; providing reporting requirements; amending
2105 s. 1008.33, F.S.; revising the turnaround options
2106 available for certain schools; amending s. 1011.62,
2107 F.S.; creating the hope supplemental services
2108 allocation; providing the purpose of the allocation;
2109 specifying the services that may be funded by the
2110 allocation; providing that implementation plans may
2111 include certain models; providing requirements for
2112 implementation plans; providing for the allocation of
2113 funds in specified fiscal years; creating the mental
2114 health assistance allocation; providing the purpose of
2115 the allocation; providing for the annual allocation of
2116 such funds on a specified basis; prohibiting the use
2117 of allocated funds to supplant funds provided from
2118 other operating funds, to increase salaries, or to
2119 provide bonuses; providing requirements for school
2120 districts and charter schools; providing that required
2121 plans must include certain elements; requiring school
2122 districts to annually submit approved plans to the
2123 Commissioner of Education by a specified date;
2124 requiring that entities that receive such allocations
2125 annually submit a final report on program outcomes and
2126 specific expenditures to the commissioner by a
2127 specified date; creating the funding compression
2128 allocation; providing the purpose of the allocation;



467400

2129 authorizing funding for the annual allocation;
2130 providing the calculation for the allocation; amending
2131 s. 1011.69, F.S.; authorizing certain high schools to
2132 receive Title I funds; providing that a school
2133 district may withhold Title I funds for specified
2134 purposes; authorizing certain schools to use Title I
2135 funds for specified purposes; amending s. 1011.71,
2136 F.S.; increasing the amount that a school district may
2137 expend from a specified millage levy for certain
2138 expenses; amending s. 1012.315, F.S.; revising the
2139 applicability of certain provisions related to
2140 disqualification from employment for the conviction of
2141 specified offenses; amending s. 1012.731, F.S.;
2142 deleting Florida Best and Brightest Teacher
2143 Scholarship Program scholarship awards authorized for
2144 specific school years; amending s. 1012.732, F.S.;
2145 specifying that a franchise model school principal is
2146 eligible to receive a Florida Best and Brightest
2147 Principal scholarship; requiring specified awards for
2148 eligible principals; amending s. 1012.796, F.S.;
2149 revising the applicability of a requirement that
2150 certain private schools file specified reports with
2151 the department for certain allegations against its
2152 employees; amending s. 1013.31, F.S.; authorizing a
2153 district to use certain sources of funds for
2154 educational, auxiliary, and ancillary plant capital
2155 outlay purposes without needing a survey
2156 recommendation; amending s. 1013.385, F.S.; providing
2157 additional exceptions to certain building code



467400

2158 regulations for school districts; amending s. 1013.62,
2159 F.S.; providing legislative intent; prohibiting a
2160 charter school from being eligible for capital outlay
2161 funds unless the chair of the governing board and the
2162 chief administrative officer of the charter school
2163 annually certify certain information; defining the
2164 term "affiliated party of the charter school";
2165 revising the Department of Education's calculation
2166 methodology for a school district's distribution of
2167 discretionary millage to its eligible charter schools;
2168 providing appropriations; providing an effective date.



848558

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
02/21/2018	.	
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	.	

The Committee on Education (Farmer) recommended the following:

Senate Substitute for Amendment (826696) (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (b) of subsection (6) of section
1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

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

(b) A sponsor shall receive and review all applications for



848558

a charter school using the evaluation instrument developed by the Department of Education. A sponsor shall receive and consider charter school applications received on or before August 1 of each calendar year for charter schools to be opened at the beginning of the school district's next school year, or to be opened at a time agreed to by the applicant and the sponsor. A sponsor may not refuse to receive a charter school application submitted before August 1 and may receive an application submitted later than August 1 if it chooses. Beginning in 2018 and thereafter, a sponsor shall receive and consider charter school applications received on or before February 1 of each calendar year for charter schools to be opened 18 months later at the beginning of the school district's school year, or to be opened at a time agreed to by the applicant and the sponsor. A sponsor may not refuse to receive a charter school application submitted before February 1 and may receive an application submitted later than February 1 if it chooses. A sponsor may not charge an applicant for a charter any fee for the processing or consideration of an application, and a sponsor may not base its consideration or approval of a final application upon the promise of future payment of any kind. Before approving or denying any application, the sponsor shall allow the applicant, upon receipt of written notification, at least 7 calendar days to make technical or nonsubstantive corrections and clarifications, including, but not limited to, corrections of grammatical, typographical, and like errors or missing signatures, if such errors are identified by the sponsor as cause to deny the final application.

1. In order to facilitate an accurate budget projection



848558

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

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

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

b. An application submitted by a high-performing charter



848558

school identified pursuant to s. 1002.331 or a high-performing charter school system identified pursuant to s. 1002.332 may be denied by the sponsor only if the sponsor demonstrates by clear and convincing evidence that:

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

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

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

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

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

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



848558

schools.

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

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

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

Section 2. Subsection (1) of section 1002.331, Florida Statutes, is amended to read:

1002.331 High-performing charter schools.—

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



848558

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

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

(c) Did not receive a financial audit that revealed one or more of the financial emergency conditions set forth in s. 218.503(1) in the most recent 3 fiscal years for which such audits are available. However, this requirement is deemed met for a charter school-in-the-workplace if there is a finding in an audit that the school has the monetary resources available to cover any reported deficiency or that the deficiency does not result in a deteriorating financial condition pursuant to s. 1002.345(1)(a)3.

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

Section 3. Present subsections (11) and (12) of section 1002.333, Florida Statutes, are redesignated as subsections (12) and (13), respectively, a new subsection (11) is added to that section, and subsections (1) and (2), paragraph (a) of subsection (4), paragraphs (b), (g), and (i) of subsection (5), paragraph (a) of subsection (7), subsection (9), and paragraph



848558

(b) of subsection (10) of that section are amended, to read:

1002.333 Persistently low-performing schools.—

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

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

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

(c) "School of hope" means:

1. A charter school operated by a hope operator which serves students from one or more persistently low-performing schools~~+~~ is located in the attendance zone of a persistently low-performing school ~~or within a 5-mile radius of such school, whichever is greater;~~ and is a Title I eligible school; or

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

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

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



848558

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

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

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

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

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

6. Other outcome measures as determined by the State Board of Education;

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

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

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

An entity that meets the requirements of paragraph (b), paragraph (c), or paragraph (d) before the adoption by the state board of measurable criteria pursuant to paragraph (a) shall be



848558

designated as a hope operator. After the adoption of the measurable criteria, an entity, including a governing board that operates a school established pursuant to s. 1008.33(4)(b)3.b. ~~s. 1008.33(4)(b)3.~~, shall be designated as a hope operator if it meets the criteria of paragraph (a).

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

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

1. An academic focus and plan.

2. A financial plan.

3. Goals and objectives for increasing student achievement for the students from low-income families.

4. A completed or planned community outreach plan.

5. The organizational history of success in working with students with similar demographics.

6. The grade levels to be served and enrollment projections.

7. The specific proposed location or geographic area proposed for the school and its proximity to the persistently low-performing school or the plan to use the district-owned facilities of the persistently low-performing school.

8. A staffing plan.

9. An operations plan specifying the operator's intent to undertake the operations of the persistently low-performing school in its entirety or through limited components of the operations.



848558

(5) PERFORMANCE-BASED AGREEMENT.—The following shall
comprise the entirety of the performance-based agreement:

~~(b) The location or geographic area proposed for the school
of hope and its proximity to the persistently low performing
school.~~

~~(f)(g)~~ The grounds for termination, including failure to
meet the requirements for student performance established
pursuant to paragraph (d) ~~(e)~~, generally accepted standards of
fiscal management, or material violation of terms of the
agreement. The nonrenewal or termination of a performance-based
agreement must comply with the requirements of s. 1002.33(8).

(h) ~~(i)~~ A provision establishing the initial term as 5
years. The agreement must ~~shall~~ be renewed, upon the request of
the hope operator, unless the school fails to meet the
requirements for student performance established pursuant to
paragraph (d) ~~(e)~~ or generally accepted standards of fiscal
management or the school of hope materially violates the law or
the terms of the agreement.

(7) FACILITIES.—

(a) 1. A school of hope that meets the definition under
subparagraph (1)(c)1. shall use facilities that comply with the
Florida Building Code, except for the State Requirements for
Educational Facilities. ~~A school of hope that uses school
district facilities must comply with the State Requirements for
Educational Facilities only if the school district and the hope
operator have entered into a mutual management plan for the
reasonable maintenance of such facilities. The mutual management
plan shall contain a provision by which the district school
board agrees to maintain the school facilities in the same~~



848558

~~manner as its other public schools within the district.~~

2. A school of hope that meets the definition under
subparagraph (1)(c)2. and that receives funds from the hope
supplemental services allocation under s. 1011.62(16) shall use
the district-owned facilities of the persistently low-performing
school that the school of hope operates. A school of hope that
uses district-owned facilities must enter into a mutual
management plan with the school district for the reasonable
maintenance of the facilities. The mutual management plan must
contain a provision specifying that the district school board
agrees to maintain the school facilities in the same manner as
other public schools within the district.

The local governing authority shall not adopt or impose any
local building requirements or site-development restrictions,
such as parking and site-size criteria, student enrollment, and
occupant load, that are addressed by and more stringent than
those found in the State Requirements for Educational Facilities
of the Florida Building Code. A local governing authority must
treat schools of hope equitably in comparison to similar
requirements, restrictions, and site planning processes imposed
upon public schools. The agency having jurisdiction for
inspection of a facility and issuance of a certificate of
occupancy or use shall be the local municipality or, if in an
unincorporated area, the county governing authority. If an
official or employee of the local governing authority refuses to
comply with this paragraph, the aggrieved school or entity has
an immediate right to bring an action in circuit court to
enforce its rights by injunction. An aggrieved party that



848558

receives injunctive relief may be awarded reasonable attorney fees and court costs.

(9) FUNDING.—

(a) Schools of hope shall be funded in accordance with s. 1002.33(17).

(b) Schools of hope shall receive priority in the department's Public Charter School Grant Program competitions.

(c) Schools of hope shall be considered charter schools for purposes of s. 1013.62, except charter capital outlay may not be used to purchase real property or for the construction of school facilities.

(d) Schools of hope that meet the definition under subparagraph (1)(c)1. are eligible to receive funds from the Schools of Hope Program.

(e) Schools of hope that meet the definition under subparagraph (1)(c)2. are eligible to receive funds from the hope supplemental services allocation established under s. 1011.62(16).

(10) SCHOOLS OF HOPE PROGRAM.—The Schools of Hope Program is created within the Department of Education.

(b) A traditional public school that is required to submit a plan for implementation pursuant to s. 1008.33(4) is eligible to receive funding for services authorized up to \$2,000 per full-time equivalent student from the hope supplemental services allocation established under s. 1011.62(16). ~~Schools of Hope Program based upon the strength of the school's plan for implementation and its focus on evidence-based interventions that lead to student success by providing wrap-around services that leverage community assets, improve school and community~~



848558

~~collaboration, and develop family and community partnerships.
Wrap-around services include, but are not limited to, tutorial
and after school programs, student counseling, nutrition
education, parental counseling, and adult education. Plans for
implementation may also include models that develop a culture of
attending college, high academic expectations, character
development, dress codes, and an extended school day and school
year. At a minimum, a plan for implementation must:~~

~~1. Establish wrap-around services that develop family and
community partnerships.~~

~~2. Establish clearly defined and measurable high academic
and character standards.~~

~~3. Increase parental involvement and engagement in the
child's education.~~

~~4. Describe how the school district will identify, recruit,
retain, and reward instructional personnel. The state board may
waive the requirements of s. 1012.22(1)(c)5., and suspend the
requirements of s. 1012.34, to facilitate implementation of the
plan.~~

~~5. Identify a knowledge-rich curriculum that the school
will use that focuses on developing a student's background
knowledge.~~

~~6. Provide professional development that focuses on
academic rigor, direct instruction, and creating high academic
and character standards.~~

(11) SCHOOLS OF HOPE MANAGEMENT.—A hope operator or the
owner of a school of hope may not serve as the principal of any
school that he or she manages.

Section 4. Section 1002.334, Florida Statutes, is created



848558

to read:

1002.334 Franchise model schools.—

(1) As used in this section, the term “franchise model school” means a persistently low-performing school, as defined in s. 1002.333(1)(b), which is led by a highly effective principal in addition to the principal’s currently assigned school. If a franchise model school achieves a grade of “C” or higher, the school may retain its status as a franchise model school at the discretion of the school district.

(2) A school district that has one or more persistently low-performing schools may use a franchise model school as a school turnaround option pursuant to s. 1008.33(4)(b)4.

(3) A franchise model school principal:

(a) Must be rated as highly effective pursuant to s. 1012.34;

(b) May lead two or more schools, including a persistently low-performing school or a school that was considered a persistently low-performing school before becoming a franchise model school;

(c) May allocate resources and personnel between the schools under his or her administration; however, he or she must expend hope supplemental services allocation funds, authorized under s. 1011.62(16), at the franchise model school; and

(d) Is eligible to receive a Best and Brightest Principal award under s. 1012.732.

Section 5. Section 1007.273, Florida Statutes, is amended to read:

1007.273 Structured high school acceleration programs
~~Collegiate high school program.—~~



848558

389 ~~(1)~~ Each Florida College System institution shall work with
390 each district school board in its designated service area to
391 establish one or more structured programs, including, but not
392 limited to, collegiate high school programs. As used in this
393 section, the term "structured program" means a structured high
394 school acceleration program.

395 (1)(2) PURPOSE.—At a minimum, structured ~~collegiate high~~
396 ~~school~~ programs must include an option for public school
397 students in grade 11 or grade 12 participating in the structured
398 program, for at least 1 full school year, to earn CAPE industry
399 certifications pursuant to s. 1008.44, and to successfully
400 complete at least 30 credit hours through the dual enrollment
401 program under s. 1007.271. The structured program must
402 prioritize dual enrollment courses that are applicable toward
403 general education core courses or common prerequisite course
404 requirements under s. 1007.25 over dual enrollment courses
405 applicable as electives toward at least the first year of
406 college for an associate degree or baccalaureate degree while
407 enrolled in the structured program. A district school board may
408 not limit the number of eligible public school students who may
409 enroll in such structured programs.

410 (2)(3) REQUIRED STRUCTURED PROGRAM CONTRACTS.—

411 (a) Each district school board and its local Florida
412 College System institution shall execute a contract to establish
413 one or more structured ~~collegiate high school~~ programs at a
414 mutually agreed upon location or locations. ~~Beginning with the~~
415 ~~2015-2016 school year,~~ If the local Florida College System
416 institution does not establish a structured program with a
417 district school board in its designated service area, another



848558

Florida College System institution may execute a contract with that district school board to establish the structured program. The contract must be executed by January 1 of each school year for implementation of the structured program during the next school year. By August 1, 2018, a contract entered into before January 1, 2018, for the 2018-2019 school year must be modified to include the provisions of paragraph (b).

(b) The contract must:

1.-(a) Identify the grade levels to be included in the structured ~~collegiate high school~~ program; ~~which must, at a minimum, include grade 12.~~

2.-(b) Describe the structured ~~collegiate high school~~ program, including a list of the meta-major academic pathways approved pursuant to s. 1008.30(4), which are available to participating students through the partner Florida College System institution or other eligible partner postsecondary institutions; the delineation of courses that must, at a minimum, include general education core courses and common prerequisite course requirements pursuant to s. 1007.25; and industry certifications offered, including online course availability; the high school and college credits earned for each postsecondary course completed and industry certification earned; student eligibility criteria; and the enrollment process and relevant deadlines;-

3.-(c) Describe the methods, medium, and process by which students and their parents are annually informed about the availability of the structured ~~collegiate high school~~ program, the return on investment associated with participation in the structured program, and the information described in



848558

subparagraphs 1. and 2.; ~~paragraphs (a) and (b).~~

~~4.(d)~~ Identify the delivery methods for instruction and the instructors for all courses;~~;~~

~~5.(e)~~ Identify student advising services and progress monitoring mechanisms;~~;~~

~~6.(f)~~ Establish a program review and reporting mechanism regarding student performance outcomes; ~~and.~~

~~7.(g)~~ Describe the terms of funding arrangements to implement the structured ~~collegiate high school~~ program pursuant to paragraph (5) (a).

(3) STUDENT PERFORMANCE CONTRACT AND NOTIFICATION.-

(a)~~(4)~~ Each student participating in a structured ~~collegiate high school~~ program must enter into a student performance contract which must be signed by the student, the parent, and a representative of the school district and the applicable Florida College System institution, state university, or other institution participating pursuant to subsection (4) ~~(5)~~. The performance contract must, at a minimum, specify ~~include~~ the schedule of courses, by semester, and industry certifications to be taken by the student, if any; student attendance requirements;~~;~~ and course grade requirements; and the applicability of such courses to an associate degree or a baccalaureate degree.

(b) By September 1 of each school year, each district school board must notify each student enrolled in grades 9, 10, 11, and 12 in a public school within the school district about the structured program, including, but not limited to:

1. The method for earning college credit through participation in the structured program. The notification must



848558

include website links to the dual enrollment course equivalency list approved by the State Board of Education; the common degree program prerequisite requirements published by the Articulation Coordinating Committee pursuant to s. 1007.01(3)(f); the industry certification articulation agreements adopted by the State Board of Education in rule; and the approved meta-major academic pathways of the partner Florida College System institution and other eligible partner postsecondary institutions participating pursuant to subsection (4); and

2. The estimated cost savings to students and their families resulting from students successfully completing 30 credit hours applicable toward general education core courses or common prerequisite course requirements before graduating from high school versus the cost of earning such credit hours after graduating from high school.

(4) ~~(5)~~ AUTHORIZED STRUCTURED PROGRAM CONTRACTS.—In addition to executing a contract with the local Florida College System institution under this section, a district school board may execute a contract to establish a structured ~~collegiate high school~~ program with a state university or an institution that is eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program, that is a nonprofit independent college or university located and chartered in this state, and that is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to grant baccalaureate degrees. Such university or institution must meet the requirements specified under subsections (2) ~~(3)~~ and (3) ~~(4)~~. A charter school may execute a contract directly with the local Florida College System institution or another institution as



848558

authorized under this section to establish a structured program
at a mutually agreed upon location.

(5) FUNDING.—

(a) ~~(6)~~ The structured collegiate high school program shall
be funded pursuant to ss. 1007.271 and 1011.62. The State Board
of Education shall enforce compliance with this section by
withholding the transfer of funds for the school districts ~~and~~
~~the Florida College System institutions~~ in accordance with s.
1008.32. Annually, by December 31, the State Board of Education
shall enforce compliance with this section by withholding the
transfer of funds for the Florida College System institutions in
accordance with s. 1008.32.

(b) A student who enrolls in the structured program and
successfully completes at least 30 college credit hours during a
school year through the dual enrollment program under s.
1007.271 generates a 0.5 full-time equivalent (FTE) bonus. A
student who enrolls in the structured program and successfully
completes an additional 30 college credit hours during a school
year, resulting in at least 60 college credit hours through the
dual enrollment program under s. 1007.271 applicable toward
fulfilling the requirements for an associate in arts degree or
an associate in science degree or a baccalaureate degree
pursuant to the student performance contract under subsection
(3), before graduating from high school, generates an additional
0.5 FTE bonus. Each district school board that is a contractual
partner with a Florida College System institution or other
eligible postsecondary institution shall report to the
commissioner the total FTE bonus for each structured program for
the students from that school district. The total FTE bonus



848558

shall be added to each school district's total weighted FTE for funding in the subsequent fiscal year.

(c) For any industry certification a student attains under this section, the FTE bonus shall be calculated and awarded in accordance with s. 1011.62(1)(o).

(6) REPORTING REQUIREMENTS.—

(a) By September 1 of each school year, each district school superintendent shall report to the commissioner, at a minimum, the following information on each structured program administered during the prior school year:

1. The number of students in public schools within the school district who enrolled in the structured program, and the partnering postsecondary institutions pursuant to subsections (2) and (4);

2. The total and average number of dual enrollment courses completed, high school and college credits earned, standard high school diplomas and associate and baccalaureate degrees awarded, and the number of industry certifications attained, if any, by the students who enrolled in the structured program;

3. The projected student enrollment in the structured program during the next school year; and

4. Any barriers to executing contracts to establish one or more structured programs.

(b) By November 30 of each school year, the commissioner must report to the Governor, the President of the Senate, and the Speaker of the House of Representatives the status of structured programs, including, at a minimum, a summary of student enrollment and completion information pursuant to this subsection; barriers, if any, to establishing such programs; and



848558

recommendations for expanding access to such programs statewide.

Section 6. Paragraph (c) of subsection (3) and subsection (4) of section 1008.33, Florida Statutes, are amended to read:

1008.33 Authority to enforce public school improvement.—

(3)

(c) The state board shall adopt by rule a differentiated matrix of intervention and support strategies for assisting traditional public schools identified under this section and rules for implementing s. 1002.33(9)(n), relating to charter schools.

1. The intervention and support strategies must address efforts to improve student performance through one or more of the following strategies: and may include

a. Improvement planning;

b. Leadership quality improvement;

c. Educator quality improvement;

d. Professional development;

e. Curriculum review, pacing, and alignment across grade levels to improve background knowledge in social studies, science, and the arts; and

f. The use of continuous improvement and monitoring plans and processes.

2. In addition, The state board may prescribe reporting requirements to review and monitor the progress of the schools. The rule must define the intervention and support strategies for school improvement for schools earning a grade of "D" or "F" and the roles for the district and department.

(4)(a) The state board shall apply intensive intervention and support strategies tailored to the needs of schools earning



848558

two consecutive grades of "D" or a grade of "F." In the first full school year after a school initially earns two consecutive grades of "D" or a grade of "F," the school district must immediately implement intervention and support strategies prescribed in rule under paragraph (3)(c) and, by September 1, provide the department with the memorandum of understanding negotiated pursuant to s. 1001.42(21) and, by October 1, a district-managed turnaround plan for approval by the state board. The district-managed turnaround plan may include a proposal for the district to implement an extended school day, a summer program, or a combination of an extended school day and summer program. Upon approval by the state board, the school district must implement the plan for the remainder of the school year and continue the plan for 1 full school year. The state board may allow a school an additional year of implementation before the school must implement a turnaround option required under paragraph (b) if it determines that the school is likely to improve to a grade of "C" or higher after the first full school year of implementation.

(b) Unless an additional year of implementation is provided pursuant to paragraph (a), a school that has completed 2 school years of a district-managed turnaround plan required under paragraph (a) and has not improved its school grade to a "C" or higher, pursuant to s. 1008.34, ~~earns three consecutive grades below a "C"~~ must implement one of the following options:

1. Reassign students to another school and monitor the progress of each reassigned student. ~~+~~

2. Close the school and reopen the school as one or more charter schools, each with a governing board that has a



848558

demonstrated record of effectiveness. Such charter schools are eligible for funding from the hope supplemental services allocation established under s. 1011.62(16). ~~or~~

3. Contract with an outside entity that has a demonstrated record of effectiveness to operate the school. An outside entity may include:

a. A district-managed charter school in which all instructional personnel are not employees of the school district, but are employees of an independent governing board composed of members who did not participate in the review or approval of the charter. A district-managed charter school is eligible for funding from the hope supplemental services allocation established in s. 1011.62(16); or

b. A hope operator that submits to a school district a notice of intent of a performance-based agreement pursuant to s. 1002.333. A school of hope established pursuant to this subparagraph is eligible for funding from the hope supplemental services allocation for up to 5 years, beginning in the school year in which the school of hope is established, if the school of hope:

(I) Is established at the district-owned facilities of the persistently low-performing school;

(II) Gives priority enrollment to students who are enrolled in, or are eligible to attend and are living in the attendance area of, the persistently low-performing school that the school of hope operates, consistent with the enrollment lottery exemption provided under s. 1002.333(5)(c); and

(III) Meets the requirements of its performance-based agreement pursuant to s. 1002.333.



848558

4. Implement a franchise model school in which a highly effective principal, pursuant to s. 1012.34, leads the persistently low-performing school in addition to the principal's currently assigned school. The franchise model school principal may allocate resources and personnel between the schools he or she leads. The persistently low-performing school is eligible for funding from the hope supplemental services allocation established under s. 1011.62(16).

(c) Implementation of the turnaround option is no longer required if the school improves to a grade of "C" or higher.

(d) If a school ~~earning two consecutive grades of "D" or a grade of "F"~~ does not improve to a grade of "C" or higher after 2 ~~full~~ school years of implementing the turnaround option selected by the school district under paragraph (b), the school district must implement another turnaround option. Implementation of the turnaround option must begin the school year following the implementation period of the existing turnaround option, unless the state board determines that the school is likely to improve to a grade of "C" or higher if additional time is provided to implement the existing turnaround option.

Section 7. Present subsections (16) and (17) of section 1011.62, Florida Statutes, are redesignated as subsections (19) and (20), respectively, new subsections (16) and (17) and subsection (18) are added to that section, and paragraph (a) of subsection (4) and subsection (14) of that section are amended, to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each



848558

district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(a) *Estimated taxable value calculations.*—

1.a. Not later than 2 working days before July 19, the Department of Revenue shall certify to the Commissioner of Education its most recent estimate of the taxable value for school purposes in each school district and the total for all school districts in the state for the current calendar year based on the latest available data obtained from the local property appraisers. The value certified shall be the taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraphs (c) and (d), or an assessment roll change required by final judicial decisions as specified in paragraph (19) (b) ~~(16) (b)~~. Not later than July 19, the Commissioner of Education shall compute a millage rate, rounded to the next highest one one-thousandth of a mill, which, when applied to 96 percent of the estimated state total taxable value for school purposes, would generate the prescribed aggregate required local effort for that year for all districts. The Commissioner of Education



848558

shall certify to each district school board the millage rate, computed as prescribed in this subparagraph, as the minimum millage rate necessary to provide the district required local effort for that year.

b. The General Appropriations Act shall direct the computation of the statewide adjusted aggregate amount for required local effort for all school districts collectively from ad valorem taxes to ensure that no school district's revenue from required local effort millage will produce more than 90 percent of the district's total Florida Education Finance Program calculation as calculated and adopted by the Legislature, and the adjustment of the required local effort millage rate of each district that produces more than 90 percent of its total Florida Education Finance Program entitlement to a level that will produce only 90 percent of its total Florida Education Finance Program entitlement in the July calculation.

2. On the same date as the certification in sub-subparagraph 1.a., the Department of Revenue shall certify to the Commissioner of Education for each district:

a. Each year for which the property appraiser has certified the taxable value pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a.

b. For each year identified in sub-subparagraph a., the taxable value certified by the appraiser pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a. This is the certification that reflects all final administrative actions of the value adjustment board.



848558

(14) QUALITY ASSURANCE GUARANTEE.—The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to each school district. The guarantee shall be calculated from prior year base funding per unweighted FTE student which shall include the adjusted FTE dollars as provided in subsection (19) ~~(16)~~, quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection (19) ~~(16)~~ and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

(16) HOPE SUPPLEMENTAL SERVICES ALLOCATION.—The hope supplemental services allocation is created to provide district-managed turnaround schools, as required under s. 1008.33(4)(a), charter schools authorized under s. 1008.33(4)(b)2., district-managed charter schools authorized under s. 1008.33(4)(b)3.a., schools of hope authorized under s. 1008.33(4)(b)3.b., and franchise model schools as authorized under s. 1008.33(4)(b)4.,



848558

with funds to offer services designed to improve the overall
academic and community welfare of the schools' students and
their families.

(a) Services funded by the allocation may include, but are
not limited to, tutorial and after-school programs, student
counseling, nutrition education, and parental counseling. In
addition, services may also include models that develop a
culture that encourages students to complete high school and to
attend college or career training, set high academic
expectations, inspire character development, and include an
extended school day and school year.

(b) Prior to distribution of the allocation, a school
district, for a district turnaround school and persistently low-
performing schools that use a franchise model; a hope operator,
for a school of hope; or the charter school governing board for
a charter school, as applicable, shall develop and submit a plan
for implementation to its respective governing body for approval
no later than August 1 of the fiscal year.

(c) At a minimum, the plans required under paragraph (b)
must:

1. Establish comprehensive support services that develop
family and community partnerships;

2. Establish clearly defined and measurable high academic
and character standards;

3. Increase parental involvement and engagement in the
child's education;

4. Describe how instructional personnel will be identified,
recruited, retained, and rewarded;

5. Provide professional development that focuses on



848558

academic rigor, direct instruction, and creating high academic and character standards; and

6. Provide focused instruction to improve student academic proficiency, which may include additional instruction time beyond the normal school day or school year.

(d) Each school district and hope operator shall submit approved plans to the commissioner by September 1 of each fiscal year.

(e) For the 2018-2019 fiscal year, a school that is selected to receive funding in the 2017-2018 fiscal year pursuant to s. 1002.333(10)(c) shall receive \$2,000 per FTE. A district-managed turnaround school required under s. 1008.33(4)(a), charter school authorized under s. 1008.33(4)(b)2., district-managed charter school authorized under s. 1008.33(4)(b)3.a., school of hope authorized under s. 1008.33(4)(b)3.b., and franchise model school authorized under s. 1008.33(4)(b)4. are eligible for the remaining funds based on the school's unweighted FTE, up to \$2,000 per FTE or as provided in the General Appropriations Act.

(f) For the 2019-2020 fiscal year and thereafter, each school district's allocation shall be based on the unweighted FTE student enrollment at the eligible schools and a per-FTE funding amount of up to \$2,000 per FTE or as provided in the General Appropriations Act. If the calculated funds for unweighted FTE student enrollment at the eligible schools exceed the per-FTE funds appropriated, the allocation of funds to each school district must be prorated based on each school district's share of the total unweighted FTE student enrollment for the eligible schools.



848558

(17) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental health assistance allocation is created to provide supplemental funding to assist school districts in establishing or expanding comprehensive school-based mental health programs that increase awareness of mental health issues among children and school-age youth; train educators and other school staff in detecting and responding to mental health issues; and connect children, youth, and families who may experience behavioral health issues with appropriate services. These funds may be allocated annually in the General Appropriations Act to each eligible school district and developmental research school based on each entity's proportionate share of Florida Education Finance Program base funding. The district funding allocation must include a minimum amount as specified in the General Appropriations Act. Upon submission and approval of a plan that includes the elements specified in paragraph (b), charter schools are also entitled to a proportionate share of district funding for this program. The allocated funds may not supplant funds that are provided for this purpose from other operating funds and may not be used to increase salaries or provide bonuses.

(a) Prior to the distribution of the allocation:

1. The district must annually develop and submit a detailed plan outlining the local program and planned expenditures to the district school board for approval.

2. A charter school must annually develop and submit a detailed plan outlining the local program and planned expenditures of the funds in the plan to its governing body for approval. After the plan is approved by the governing body, it must be provided to its school district for submission to the



848558

commissioner.

(b) The plans required under paragraph (a) must include, at a minimum, all of the following elements:

1. A collaborative effort or partnership between the school district and at least one local community program or agency involved in mental health to provide or to improve prevention, diagnosis, and treatment services for students;

2. Programs to assist students in dealing with bullying, trauma, and violence;

3. Strategies or programs to reduce the likelihood of at-risk students developing social, emotional, or behavioral health problems or substance use disorders;

4. Strategies to improve the early identification of social, emotional, or behavioral problems or substance use disorders and to improve the provision of early intervention services;

5. Strategies to enhance the availability of school-based crisis intervention services and appropriate referrals for students in need of mental health services; and

6. Training opportunities for school personnel in the techniques and supports needed to identify students who have trauma histories and who have or are at risk of having a mental illness, and in the use of referral mechanisms that effectively link such students to appropriate treatment and intervention services in the school and in the community.

(c) The districts shall submit approved plans to the commissioner by August 1 of each fiscal year.

(d) Beginning September 30, 2019, and by each September 30 thereafter, each entity that receives an allocation under this



848558

subsection shall submit to the commissioner, in a format prescribed by the department, a final report on its program outcomes and its expenditures for each element of the program.

(18) FUNDING COMPRESSION ALLOCATION.—The Legislature may provide an annual funding compression allocation in the General Appropriations Act. The allocation is created to provide additional funding to school districts and developmental research schools whose total funds per FTE in the prior year were less than the statewide average. Using the most recent prior year FEFP calculation for each eligible school district, the total funds per FTE shall be subtracted from the state average funds per FTE, not including any adjustments made pursuant to paragraph (19) (b). The resulting funds per FTE difference, or a portion thereof, as designated in the General Appropriations Act, shall then be multiplied by the school district's total unweighted FTE to provide the allocation. If the calculated funds are greater than the amount included in the General Appropriations Act, they must be prorated to the appropriation amount based on each participating school district's share.

Section 8. Subsection (5) of section 1011.69, Florida Statutes, is amended to read:

1011.69 Equity in School-Level Funding Act.—

(5) After providing Title I, Part A, Basic funds to schools above the 75 percent poverty threshold, which may include high schools above the 50 percent threshold as allowed by federal law, school districts shall provide any remaining Title I, Part A, Basic funds directly to all eligible schools as provided in this subsection. For purposes of this subsection, an eligible



848558

school is a school that is eligible to receive Title I funds, including a charter school. The threshold for identifying eligible schools may not exceed the threshold established by a school district for the 2016-2017 school year or the statewide percentage of economically disadvantaged students, as determined annually.

(a) Prior to the allocation of Title I funds to eligible schools, a school district may withhold funds only as follows:

1. One percent for parent involvement, in addition to the one percent the district must reserve under federal law for allocations to eligible schools for parent involvement;

2. A necessary and reasonable amount for administration;¹⁷

~~3. which includes~~ The district's approved indirect cost rate, ~~not to exceed a total of 8 percent; and~~

~~4.3.~~ A reasonable and necessary amount to provide:

- a. Homeless programs;
- b. Delinquent and neglected programs;
- c. Prekindergarten programs and activities;
- d. Private school equitable services; and
- e. Transportation for foster care children to their school of origin or choice programs; and.

5. A necessary and reasonable amount for eligible schools to provide:

a. Extended learning opportunities, such as summer school, before-school and after-school programs, and additional class periods of instruction during the school day; and

b. Supplemental academic and enrichment services, staff development, and planning and curriculum, as well as wrap-around services.



848558

(b) All remaining Title I funds shall be distributed to all eligible schools in accordance with federal law and regulation. To maximize the efficient use of resources, school districts may allow eligible schools, not including charter schools, to ~~An eligible school may use funds under this subsection for district-level to participate in discretionary~~ educational services provided by the school district.

Section 9. Subsection (5) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.—

(5) ~~Effective July 1, 2008,~~ A school district may expend, subject to ~~the provisions of~~ s. 200.065, up to \$150 ~~\$100~~ per unweighted full-time equivalent student from the revenue generated by the millage levy authorized by subsection (2) to fund, in addition to expenditures authorized in paragraphs (2)(a)-(j), expenses for the following:

(a) The purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.

(b) Payment of the cost of premiums, as defined in s. 627.403, for property and casualty insurance necessary to insure school district educational and ancillary plants. As used in this paragraph, casualty insurance has the same meaning as in s. 624.605(1)(d), (f), (g), (h), and (m). Operating revenues that are made available through the payment of property and casualty insurance premiums from revenues generated under this subsection may be expended only for nonrecurring operational expenditures



848558

of the school district.

Section 10. Paragraph (c) of subsection (3) of section 1012.731, Florida Statutes, is amended to read:

1012.731 The Florida Best and Brightest Teacher Scholarship Program.—

(3)

~~(c) Notwithstanding the requirements of this subsection, for the 2017-2018, 2018-2019, and 2019-2020 school years, any classroom teacher who:~~

~~1. Was evaluated as highly effective pursuant to s. 1012.34 in the school year immediately preceding the year in which the scholarship will be awarded shall receive a scholarship of \$1200, including a classroom teacher who received an award pursuant to paragraph (a).~~

~~2. Was evaluated as effective pursuant to s. 1012.34 in the school year immediately preceding the year in which the scholarship will be awarded a scholarship of up to \$800. If the number of eligible classroom teachers under this subparagraph exceeds the total allocation, the department shall prorate the per-teacher scholarship amount.~~

~~This paragraph expires July 1, 2020.~~

Section 11. Subsections (2), (3), and (4) of section 1012.732, Florida Statutes, are amended to read:

1012.732 The Florida Best and Brightest Principal Scholarship Program.—

(2) There is created the Florida Best and Brightest Principal Scholarship Program to be administered by the Department of Education. The program shall provide categorical



848558

funding for scholarships to be awarded to school principals, as defined in s. 1012.01(3)(c)1., who are serving as a franchise model school principal or who have recruited and retained a high percentage of best and brightest teachers.

(3)(a) A school principal identified pursuant to s. 1012.731(4)(c) is eligible to receive a scholarship under this section if he or she has served as school principal at his or her school for at least 2 consecutive school years including the current school year and his or her school has a ratio of best and brightest teachers to other classroom teachers that is at the 80th percentile or higher for schools within the same grade group, statewide, including elementary schools, middle schools, high schools, and schools with a combination of grade levels.

(b) A principal of a franchise model school, as defined in s. 1002.334, is eligible to receive a scholarship under this section.

(4) Annually, by February 1, the department shall identify eligible school principals and disburse funds to each school district for each eligible school principal to receive a scholarship.

(a) A scholarship of \$10,000 ~~\$5,000~~ must be awarded to each franchise model school principal who is ~~every~~ eligible under paragraph (3)(b).

(b) A scholarship of \$5,000 must be awarded to each school principal assigned to a Title I school and a scholarship of \$4,000 to each ~~every~~ eligible school principal who is not assigned to a Title I school and who is eligible under paragraph (3)(a).

Section 12. Present paragraphs (a) through (d) of



848558

subsection (1) of section 1013.31, Florida Statutes, are redesignated as paragraphs (b) through (e), respectively, and a new paragraph (a) is added to that subsection, to read:

1013.31 Educational plant survey; localized need assessment; PECO project funding.—

(1) At least every 5 years, each board shall arrange for an educational plant survey, to aid in formulating plans for housing the educational program and student population, faculty, administrators, staff, and auxiliary and ancillary services of the district or campus, including consideration of the local comprehensive plan. The Department of Education shall document the need for additional career and adult education programs and the continuation of existing programs before facility construction or renovation related to career or adult education may be included in the educational plant survey of a school district or Florida College System institution that delivers career or adult education programs. Information used by the Department of Education to establish facility needs must include, but need not be limited to, labor market data, needs analysis, and information submitted by the school district or Florida College System institution.

(a) Educational plant survey and localized need assessment for capital outlay purposes.—A district may only use funds from the following sources for educational, auxiliary, and ancillary plant capital outlay purposes without needing a survey recommendation:

1. The local capital outlay improvement fund, consisting of funds that come from and are a part of the district's basic operating budget;



848558

2. If a board decides to build an educational, auxiliary, or ancillary facility without a survey recommendation and the taxpayers approve a bond referendum, the voted bond referendum;

3. One-half cent sales surtax revenue;

4. One cent local governmental surtax revenue;

5. Impact fees; and

6. Private gifts or donations.

Section 13. Paragraph (e) is added to subsection (2) of section 1013.385, Florida Statutes, to read:

1013.385 School district construction flexibility.—

(2) A resolution adopted under this section may propose implementation of exceptions to requirements of the uniform statewide building code for the planning and construction of public educational and ancillary plants adopted pursuant to ss. 553.73 and 1013.37 relating to:

(e) Any other provisions that limit the ability of a school to operate in a facility on the same basis as a charter school pursuant to s. 1002.33(18) if the regional planning council determines that there is sufficient shelter capacity within the school district as documented in the Statewide Emergency Shelter Plan.

Section 14. Subsection (3) of section 1013.62, Florida Statutes, is amended, and paragraph (c) is added to subsection (1) of that section, to read:

1013.62 Charter schools capital outlay funding.—

(1) Charter school capital outlay funding shall consist of revenue resulting from the discretionary millage authorized in s. 1011.71(2) and state funds when such funds are appropriated in the General Appropriations Act.



848558

(c) It is the intent of the Legislature that the public interest be protected by prohibiting personal financial enrichment by owners, operators, managers, real estate developers, and other affiliated parties of charter schools. Therefore, a charter school is not eligible for a funding allocation unless the chair of the governing board and the chief administrative officer of the charter school annually certify under oath that the funds will be used solely and exclusively for constructing, renovating, or improving charter school facilities that are:

1. Owned by a school district, a political subdivision of the state, a municipality, a Florida College System institution, or a state university;

2. Owned by an organization that is qualified as an exempt organization under s. 501(c)(3) of the Internal Revenue Code whose articles of incorporation specify that, upon the organization's dissolution, the subject property will be transferred to a school district, a political subdivision of the state, a municipality, a Florida College System institution, or a state university; or

3. Owned by and leased, at a fair market value in the school district in which the charter school is located, from a person or entity that is not an affiliated party of the charter school. For the purposes of this subparagraph, the term "affiliated party of the charter school" means the applicant for the charter school pursuant to s. 1002.33; the governing board of the charter school or a member of the governing board; the charter school owner; the charter school principal; an employee of the charter school; an independent contractor of the charter



848558

school or the governing board of the charter school; a relative,
as defined in s. 1002.33(24)(a)2., of a charter school governing
board member, a charter school owner, a charter school
principal, a charter school employee, or an independent
contractor of a charter school or charter school governing
board; a subsidiary corporation, a service corporation, an
affiliated corporation, a parent corporation, a limited
liability company, a limited partnership, a trust, a
partnership, or a related party that, individually or through
one or more entities, shares common ownership or control and
directly or indirectly manages, administers, controls, or
oversees the operation of the charter school; or any person or
entity, individually or through one or more entities that share
common ownership, which directly or indirectly manages,
administers, controls, or oversees the operation of any of the
foregoing.

(3) If the school board levies the discretionary millage authorized in s. 1011.71(2), the department shall use the following calculation methodology to determine the amount of revenue that a school district must distribute to each eligible charter school:

(a) Reduce the total discretionary millage revenue by the school district's annual debt service obligation incurred as of March 1, 2017, and any amount of participation requirement pursuant to s. 1013.64(2)(a)8. that is being satisfied by revenues raised by the discretionary millage.

(b) Divide the school district's adjusted discretionary millage revenue by the district's total capital outlay full-time equivalent membership and the total number of unweighted full-



848558

time equivalent students of each eligible charter school to determine a capital outlay allocation per full-time equivalent student.

(c) Multiply the capital outlay allocation per full-time equivalent student by the total number of full-time equivalent students for all of each eligible charter schools within the district school to determine the total charter school capital outlay allocation for each district charter school.

(d) If applicable, reduce the capital outlay allocation identified in paragraph (c) by the total amount of state funds allocated pursuant to subsection (2) to all each eligible charter schools within a district school in subsection (2) to determine the net total maximum calculated capital outlay allocation from local funds. If state funds are not allocated pursuant to subsection (2), the amount determined in paragraph (c) is equal to the net total calculated capital outlay allocation from local funds for each district.

(e) For each charter school within each district, the net capital outlay amount from local funds shall be calculated in the same manner as the state funds in paragraphs (2)(a)-(d), except that the base charter school per weighted FTE allocation amount shall be determined by dividing the net total capital outlay amount from local funds by the total weighted FTE for all eligible charter schools within the district. The per weighted FTE allocation amount from local funds shall be multiplied by the weighted FTE for each charter school to determine each charter school's capital outlay allocation from local funds.

(f)(e) School districts shall distribute capital outlay funds to charter schools no later than February 1 of each year.



848558

~~beginning on February 1, 2018, for the 2017-2018 fiscal year.~~

Section 15. This act shall take effect July 1, 2018.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to K-12 education; amending s.
1002.33, F.S.; extending the period of time for which
a charter school may defer its opening for specified
reasons; amending s. 1002.331, F.S.; revising the
requirements for a charter school to be considered a
high-performing charter school; amending s. 1002.333,
F.S.; redefining the terms "persistently low-
performing school" and "school of hope"; revising the
contents of a school of hope notice of intent and
performance-based agreement; revising school of hope
facility requirements; specifying that certain schools
of hope are eligible to receive hope supplemental
service allocation funds; requiring the State Board of
Education to provide awards to all eligible schools
that meet certain requirements; prohibiting a school
of hope operator or owner from serving as the
principal of a school of hope that he or she manages;
conforming cross-references; creating s. 1002.334,
F.S.; defining the term "franchise model school";
authorizing specified schools to use a franchise model
school as a turnaround option; specifying requirements



848558

1201 for a franchise model school principal; amending s.
1202 1007.273, F.S.; defining the term "structured
1203 program"; providing additional options for students
1204 participating in a structured program; prohibiting a
1205 district school board from limiting the number of
1206 public school students who may participate in a
1207 structured program; revising contract requirements;
1208 requiring each district school board to annually
1209 notify students in certain grades of certain
1210 information about the structured program, by a
1211 specified date; revising provisions relating to
1212 funding; requiring the state board to enforce
1213 compliance with certain provisions by a specified date
1214 each year; providing reporting requirements; amending
1215 s. 1008.33, F.S.; revising the turnaround options
1216 available for certain schools; amending s. 1011.62,
1217 F.S.; creating the hope supplemental services
1218 allocation; providing the purpose of the allocation;
1219 specifying the services that may be funded by the
1220 allocation; providing that implementation plans may
1221 include certain models; providing requirements for
1222 implementation plans; providing for the allocation of
1223 funds in specified fiscal years; creating the mental
1224 health assistance allocation; providing the purpose of
1225 the allocation; providing for the annual allocation of
1226 such funds on a specified basis; prohibiting the use
1227 of allocated funds to supplant funds provided from
1228 other operating funds, to increase salaries, or to
1229 provide bonuses; providing requirements for school



848558

1230 districts and charter schools; providing that required
1231 plans must include certain elements; requiring school
1232 districts to annually submit approved plans to the
1233 Commissioner of Education by a specified date;
1234 requiring that entities that receive such allocations
1235 annually submit a final report on program outcomes and
1236 specific expenditures to the commissioner by a
1237 specified date; creating the funding compression
1238 allocation; providing the purpose of the allocation;
1239 authorizing funding for the annual allocation for
1240 specified purposes; providing the calculation for the
1241 allocation; amending s. 1011.69, F.S.; revising the
1242 types of funds school districts may withhold before
1243 allocating certain Title I funds to eligible schools;
1244 authorizing school districts to use such funds for
1245 specified purposes; amending s. 1011.71, F.S.;
1246 increasing the amount that a school district may
1247 expend from a specified millage levy for certain
1248 expenses; amending s. 1012.731, F.S.; deleting Florida
1249 Best and Brightest Teacher Scholarship Program
1250 scholarship awards authorized for specific school
1251 years; amending s. 1012.732, F.S.; specifying that a
1252 franchise model school principal is eligible to
1253 receive a Florida Best and Brightest Principal
1254 scholarship; requiring specified awards for eligible
1255 principals; amending s. 1013.31, F.S.; authorizing a
1256 district to use certain sources of funds for
1257 educational, auxiliary, and ancillary plant capital
1258 outlay purposes without needing a survey



848558

1259 recommendation; amending s. 1013.385, F.S.; providing
1260 additional exceptions to certain building code
1261 regulations for school districts; amending s. 1013.62,
1262 F.S.; providing legislative intent; prohibiting a
1263 charter school from being eligible for capital outlay
1264 funds unless the chair of the governing board and the
1265 chief administrative officer of the charter school
1266 annually certify certain information; defining the
1267 term "affiliated party of the charter school";
1268 revising the Department of Education's calculation
1269 methodology for a school district's distribution of
1270 discretionary millage to its eligible charter schools;
1271 providing an effective date.



903516

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
02/21/2018	.	
	.	
	.	
	.	

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



903516

organization under s. 1002.40 against any tax imposed by the state and collected from the purchaser by a dealer, designated agent, or private tag agent as a result of the purchase or acquisition of a motor vehicle. For purposes of this subsection, the term "purchase" does not include the lease or rental of a motor vehicle.

(2) A dealer shall take a credit against any tax imposed by the state under this chapter on the purchase of a motor vehicle in an amount equal to the credit granted to the purchaser under subsection (1).

(3) For purposes of the distributions of tax revenue under s. 212.20, the department shall disregard any tax credits allowed under this section to ensure that any reduction in tax revenue received that is attributable to the tax credits results only in a reduction in distributions to the General Revenue Fund. The provisions of s. 1002.40 apply to the credit authorized by this section.

Section 2. Subsection (21) is added to section 213.053, Florida Statutes, to read:

213.053 Confidentiality and information sharing.—

(21) (a) The department may provide to an eligible nonprofit scholarship-funding organization, as defined in s. 1002.40, a dealer's name, address, federal employer identification number, and information related to differences between credits taken by the dealer pursuant to s. 212.1832(2) and amounts remitted to the eligible nonprofit scholarship-funding organization under s. 1002.40(13)(b)3. The eligible nonprofit scholarship-funding organization may use the information for purposes of recovering eligible contributions designated for that organization that



903516

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



903516

1002 with access to electronic verification of information from
the following employment screening tools:

(a) The Professional Practices' Database of Disciplinary
Actions Against Educators; and

(b) The Department of Education's Teacher Certification
Database.

This subsection does not require the department to provide these
staff with unlimited access to the databases. However, the
department shall provide the staff with access to the data
necessary for performing employment history checks of the
instructional personnel and school administrators included in
the databases.

Section 5. Section 1001.4205, Florida Statutes, is amended
to read:

1001.4205 Visitation of schools ~~by an individual school
board or charter school governing board member.~~—An individual
member of a district school board may, on any day and at any
time at his or her pleasure, visit any district school in his or
her school district. An individual member of the State
Legislature may, on any day and at any time at his or her
pleasure, visit any district school, including any charter
school, in his or her legislative district. An individual member
of a charter school governing board member may, on any day and
at any time at his or her pleasure, visit any charter school
governed by the charter school's governing board.

(1) The visiting individual board member must sign in and
sign out at the school's main office and wear his or her board
or State Legislature identification badge, as applicable, at all



903516

times while present on school premises.

(2) The board, the school, or any other person or entity, including, but not limited to, the principal of the school, the school superintendent, or any ~~other~~ board member, may not require the visiting individual ~~board member~~ to provide notice before visiting the school.

(3) The school may offer, but may not require, an escort to accompany ~~the~~ a visiting individual ~~board member~~ during the visit.

(4) A ~~Another~~ board member or a district employee, including, but not limited to, the superintendent, the school principal, or the superintendent's or the principal's ~~his or her~~ designee, may not limit the duration or scope of the visit or direct ~~the~~ a visiting individual ~~board member~~ to leave the premises.

(5) A board, district, or school administrative policy or practice may not prohibit or limit the authority granted to the visiting individual ~~a board member~~ under this section.

Section 6. Section 1002.01, Florida Statutes, is amended to read:

1002.01 Definitions.—

(1) A "home education program" means the sequentially progressive instruction of a student directed by his or her parent in order to satisfy the attendance requirements of ss. 1002.41, 1003.01(13), and 1003.21(1).

(2) A "private school" is a nonpublic school that is registered in accordance with s. 1002.42 and is defined as an individual, association, copartnership, or corporation, or department, division, or section of such organizations, that



903516

designates itself as an educational center that includes kindergarten or a higher grade or as an elementary, secondary, business, technical, or trade school below college level or any organization that provides instructional services that meet the intent of s. 1003.01(13) or that gives preemployment or supplementary training in technology or in fields of trade or industry or that offers academic, literary, or career training below college level, or any combination of the above, including an institution that performs the functions of the above schools through correspondence or extension, except those licensed under the provisions of chapter 1005. A private school may be a parochial, religious, denominational, for-profit, or nonprofit school attended by a student in order to satisfy the attendance requirements of s. 1003.01(13). This definition does not include home education programs conducted in accordance with s. 1002.41.

(3) For purposes of this chapter, a "scholarship program" means any one of the following:

(a) The Opportunity Scholarship Program established pursuant to s. 1002.38.

(b) The Gardiner Scholarship Program established pursuant to s. 1002.385.

(c) The John M. McKay Scholarships for Students with Disabilities Program established pursuant to s. 1002.39.

(d) The Florida Tax Credit Scholarship Program established pursuant to s. 1002.395.

(e) The Hope Scholarship Program established pursuant to s. 1002.40.

Section 7. Paragraph (b) of subsection (2) and subsection (6) of section 1002.20, Florida Statutes, are amended to read:



903516

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(2) ATTENDANCE.—

(b) *Regular school attendance*.—Parents of students who have attained the age of 6 years by February 1 of any school year but who have not attained the age of 16 years must comply with the compulsory school attendance laws. Parents have the option to comply with the school attendance laws by attendance of the student in a public school; a private parochial, religious, or denominational school; a private school; or a home education program; ~~or a private tutoring program~~, in accordance with ~~the provisions of~~ s. 1003.01(13).

(6) EDUCATIONAL CHOICE.—

(a) *Public educational school choices*.—Parents of public school students may seek any public educational school choice options that are applicable and available to students throughout the state. These options may include controlled open enrollment, single-gender programs, lab schools, virtual instruction programs, charter schools, charter technical career centers, magnet schools, alternative schools, special programs, auditory-oral education programs, advanced placement, dual enrollment, International Baccalaureate, International General Certificate of Secondary Education (pre-AICE), CAPE digital tools, CAPE industry certifications, collegiate high school programs, Advanced International Certificate of Education, early



903516

admissions, credit by examination or demonstration of competency, the New World School of the Arts, the Florida School for the Deaf and the Blind, and the Florida Virtual School. These options may also include the public educational choice options of the Opportunity Scholarship Program and the McKay Scholarships for Students with Disabilities Program.

(b) *Private educational choices.*—The parent of a student may choose to enroll the student in a private school, as defined in s. 1002.01(2). Parents of public school students may seek private educational choice options under certain programs.

1. Under the McKay Scholarships for Students with Disabilities Program, the parent of a public school student with a disability may request and receive a McKay Scholarship for the student to attend a private school in accordance with s. 1002.39.

2. Under the Florida Tax Credit Scholarship Program, the parent of a student who qualifies for free or reduced-price school lunch or who is currently placed, or during the previous state fiscal year was placed, in foster care as defined in s. 39.01 may seek a scholarship from an eligible nonprofit scholarship-funding organization in accordance with s. 1002.395.

3. Under the Gardiner Scholarship Program ~~Florida Personal Learning Scholarship Accounts Program~~, the parent of a student with a qualifying disability may apply for a Gardiner Scholarship ~~personal learning scholarship~~ to be used for individual educational needs in accordance with s. 1002.385.

4. Under the Hope Scholarship Program, the parent of a student who was the victim of a substantiated incident of violence or abuse while attending a public school may seek a



903516

scholarship for the student to attend a private school in
accordance with s. 1002.40.

(c) *Home education.*—The parent of a student may choose to
place the student in a home education program, as defined in s.
1002.01(1), in accordance with ~~the provisions of~~ s. 1002.41.

~~(d) *Private tutoring.*—The parent of a student may choose to
place the student in a private tutoring program in accordance
with the provisions of s. 1002.43(1).~~

Section 8. Paragraph (b) of subsection (6) of section
1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(6) APPLICATION PROCESS AND REVIEW.—Charter school
applications are subject to the following requirements:

(b) A sponsor shall receive and review all applications for
a charter school using the evaluation instrument developed by
the Department of Education. A sponsor shall receive and
consider charter school applications received on or before
August 1 of each calendar year for charter schools to be opened
at the beginning of the school district's next school year, or
to be opened at a time agreed to by the applicant and the
sponsor. A sponsor may not refuse to receive a charter school
application submitted before August 1 and may receive an
application submitted later than August 1 if it chooses.

Beginning in 2018 and thereafter, a sponsor shall receive and
consider charter school applications received on or before
February 1 of each calendar year for charter schools to be
opened 18 months later at the beginning of the school district's
school year, or to be opened at a time agreed to by the
applicant and the sponsor. A sponsor may not refuse to receive a



903516

charter school application submitted before February 1 and may receive an application submitted later than February 1 if it chooses. A sponsor may not charge an applicant for a charter any fee for the processing or consideration of an application, and a sponsor may not base its consideration or approval of a final application upon the promise of future payment of any kind. Before approving or denying any application, the sponsor shall allow the applicant, upon receipt of written notification, at least 7 calendar days to make technical or nonsubstantive corrections and clarifications, including, but not limited to, corrections of grammatical, typographical, and like errors or missing signatures, if such errors are identified by the sponsor as cause to deny the final application.

1. In order to facilitate an accurate budget projection process, a sponsor shall be held harmless for FTE students who are not included in the FTE projection due to approval of charter school applications after the FTE projection deadline. In a further effort to facilitate an accurate budget projection, within 15 calendar days after receipt of a charter school application, a sponsor shall report to the Department of Education the name of the applicant entity, the proposed charter school location, and its projected FTE.

2. In order to ensure fiscal responsibility, an application for a charter school shall include a full accounting of expected assets, a projection of expected sources and amounts of income, including income derived from projected student enrollments and from community support, and an expense projection that includes full accounting of the costs of operation, including start-up costs.



903516

3.a. A sponsor shall by a majority vote approve or deny an application no later than 90 calendar days after the application is received, unless the sponsor and the applicant mutually agree in writing to temporarily postpone the vote to a specific date, at which time the sponsor shall by a majority vote approve or deny the application. If the sponsor fails to act on the application, an applicant may appeal to the State Board of Education as provided in paragraph (c). If an application is denied, the sponsor shall, within 10 calendar days after such denial, articulate in writing the specific reasons, based upon good cause, supporting its denial of the application and shall provide the letter of denial and supporting documentation to the applicant and to the Department of Education.

b. An application submitted by a high-performing charter school identified pursuant to s. 1002.331 or a high-performing charter school system identified pursuant to s. 1002.332 may be denied by the sponsor only if the sponsor demonstrates by clear and convincing evidence that:

(I) The application does not materially comply with the requirements in paragraph (a);

(II) The charter school proposed in the application does not materially comply with the requirements in paragraphs (9) (a) - (f);

(III) The proposed charter school's educational program does not substantially replicate that of the applicant or one of the applicant's high-performing charter schools;

(IV) The applicant has made a material misrepresentation or false statement or concealed an essential or material fact during the application process; or



903516

(V) The proposed charter school's educational program and financial management practices do not materially comply with the requirements of this section.

Material noncompliance is a failure to follow requirements or a violation of prohibitions applicable to charter school applications, which failure is quantitatively or qualitatively significant either individually or when aggregated with other noncompliance. An applicant is considered to be replicating a high-performing charter school if the proposed school is substantially similar to at least one of the applicant's high-performing charter schools and the organization or individuals involved in the establishment and operation of the proposed school are significantly involved in the operation of replicated schools.

c. If the sponsor denies an application submitted by a high-performing charter school or a high-performing charter school system, the sponsor must, within 10 calendar days after such denial, state in writing the specific reasons, based upon the criteria in sub-subparagraph b., supporting its denial of the application and must provide the letter of denial and supporting documentation to the applicant and to the Department of Education. The applicant may appeal the sponsor's denial of the application in accordance with paragraph (c).

4. For budget projection purposes, the sponsor shall report to the Department of Education the approval or denial of an application within 10 calendar days after such approval or denial. In the event of approval, the report to the Department of Education shall include the final projected FTE for the



903516

approved charter school.

5. Upon approval of an application, the initial startup shall commence with the beginning of the public school calendar for the district in which the charter is granted. A charter school may defer the opening of the school's operations for up to 3 ~~2~~ years to provide time for adequate facility planning. The charter school must provide written notice of such intent to the sponsor and the parents of enrolled students at least 30 calendar days before the first day of school.

Section 9. Subsection (1) of section 1002.331, Florida Statutes, is amended to read:

1002.331 High-performing charter schools.—

(1) A charter school is a high-performing charter school if it:

(a) Received at least two school grades of "A" and no school grade below "B," pursuant to s. 1008.34, during each of the previous 3 school years or received at least two consecutive school grades of "A" in the most recent 2 school years.

(b) Received an unqualified opinion on each annual financial audit required under s. 218.39 in the most recent 3 fiscal years for which such audits are available.

(c) Did not receive a financial audit that revealed one or more of the financial emergency conditions set forth in s. 218.503(1) in the most recent 3 fiscal years for which such audits are available. However, this requirement is deemed met for a charter school-in-the-workplace if there is a finding in an audit that the school has the monetary resources available to cover any reported deficiency or that the deficiency does not result in a deteriorating financial condition pursuant to s.



903516

1002.345(1)(a)3.

For purposes of determining initial eligibility, the requirements of paragraphs (b) and (c) only apply to the most recent 2 fiscal years if the charter school earns two consecutive grades of "A." A virtual charter school established under s. 1002.33 is not eligible for designation as a high-performing charter school.

Section 10. Present subsections (11) and (12) of section 1002.333, Florida Statutes, are redesignated as subsections (12) and (13), respectively, a new subsection (11) is added to that section, and subsections (1) and (2), paragraph (a) of subsection (4), paragraphs (b), (g), and (i) of subsection (5), paragraph (a) of subsection (7), subsection (9), and paragraph (b) of subsection (10) of that section are amended, to read:

1002.333 Persistently low-performing schools.—

(1) DEFINITIONS.—As used in this section, the term:

(a) "Hope operator" means an entity identified by the department pursuant to subsection (2).

(b) "Persistently low-performing school" means a school that has completed 2 school years of a district-managed turnaround plan required under s. 1008.33(4)(a) and has not improved its school grade to a "C" or higher, ~~earned three consecutive grades lower than a "C,"~~ pursuant to s. 1008.34, and a school that was closed pursuant to s. 1008.33(4) within 2 years after the submission of a notice of intent.

(c) "School of hope" means:

1. A charter school operated by a hope operator which serves students from one or more persistently low-performing



903516

schools~~;~~ is located in the attendance zone of a persistently low-performing school ~~or within a 5-mile radius of such school, whichever is greater;~~ and is a Title I eligible school; or

2. A school operated by a hope operator pursuant to s. 1008.33(4)(b)3.b. ~~s. 1008.33(4)(b)3.~~

(2) HOPE OPERATOR.—A hope operator is a nonprofit organization with tax exempt status under s. 501(c)(3) of the Internal Revenue Code which ~~that~~ operates three or more charter schools that serve students in grades K-12 in Florida or other states with a record of serving students from low-income families and is designated by the State Board of Education as a hope operator based on a determination that:

(a) The past performance of the hope operator meets or exceeds the following criteria:

1. The achievement of enrolled students exceeds the district and state averages of the states in which the operator's schools operate;

2. The average college attendance rate at all schools currently operated by the operator exceeds 80 percent, if such data is available;

3. The percentage of students eligible for a free or reduced price lunch under the National School Lunch Act enrolled at all schools currently operated by the operator exceeds 70 percent;

4. The operator is in good standing with the authorizer in each state in which it operates;

5. The audited financial statements of the operator are free of material misstatements and going concern issues; and

6. Other outcome measures as determined by the State Board



903516

of Education;

(b) The operator was awarded a United States Department of Education Charter School Program Grant for Replication and Expansion of High-Quality Charter Schools within the preceding 3 years before applying to be a hope operator;

(c) The operator receives funding through the National Fund of the Charter School Growth Fund to accelerate the growth of the nation's best charter schools; or

(d) The operator is selected by a district school board in accordance with s. 1008.33.

An entity that meets the requirements of paragraph (b), paragraph (c), or paragraph (d) before the adoption by the state board of measurable criteria pursuant to paragraph (a) shall be designated as a hope operator. After the adoption of the measurable criteria, an entity, including a governing board that operates a school established pursuant to s. 1008.33(4)(b)3.b. ~~s. 1008.33(4)(b)3.~~, shall be designated as a hope operator if it meets the criteria of paragraph (a).

(4) ESTABLISHMENT OF SCHOOLS OF HOPE.—A hope operator seeking to open a school of hope must submit a notice of intent to the school district in which a persistently low-performing school has been identified by the State Board of Education pursuant to subsection (10).

(a) The notice of intent must include all of the following:

1. An academic focus and plan.

2. A financial plan.

3. Goals and objectives for increasing student achievement for the students from low-income families.



903516

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



903516

paragraph (d) ~~(e)~~ or generally accepted standards of fiscal management or the school of hope materially violates the law or the terms of the agreement.

(7) FACILITIES.—

(a) 1. A school of hope that meets the definition under subparagraph (1)(c)1. shall use facilities that comply with the Florida Building Code, except for the State Requirements for Educational Facilities. A school of hope that uses school district facilities must comply with the State Requirements for Educational Facilities only if the school district and the hope operator have entered into a mutual management plan for the reasonable maintenance of such facilities. The mutual management plan shall contain a provision by which the district school board agrees to maintain the school facilities in the same manner as its other public schools within the district.

2. A school of hope that meets the definition under subparagraph (1)(c)2. and that receives funds from the hope supplemental services allocation under s. 1011.62(16) shall use the district-owned facilities of the persistently low-performing school that the school of hope operates. A school of hope that uses district-owned facilities must enter into a mutual management plan with the school district for the reasonable maintenance of the facilities. The mutual management plan must contain a provision specifying that the district school board agrees to maintain the school facilities in the same manner as other public schools within the district.

The local governing authority shall not adopt or impose any local building requirements or site-development restrictions,



903516

such as parking and site-size criteria, student enrollment, and occupant load, that are addressed by and more stringent than those found in the State Requirements for Educational Facilities of the Florida Building Code. A local governing authority must treat schools of hope equitably in comparison to similar requirements, restrictions, and site planning processes imposed upon public schools. The agency having jurisdiction for inspection of a facility and issuance of a certificate of occupancy or use shall be the local municipality or, if in an unincorporated area, the county governing authority. If an official or employee of the local governing authority refuses to comply with this paragraph, the aggrieved school or entity has an immediate right to bring an action in circuit court to enforce its rights by injunction. An aggrieved party that receives injunctive relief may be awarded reasonable attorney fees and court costs.

(9) FUNDING.—

(a) Schools of hope shall be funded in accordance with s. 1002.33(17).

(b) Schools of hope shall receive priority in the department's Public Charter School Grant Program competitions.

(c) Schools of hope shall be considered charter schools for purposes of s. 1013.62, except charter capital outlay may not be used to purchase real property or for the construction of school facilities.

(d) Schools of hope that meet the definition under subparagraph (1)(c)1. are eligible to receive funds from the Schools of Hope Program.

(e) Schools of hope that meet the definition under



903516

subparagraph (1)(c)2. are eligible to receive funds from the
hope supplemental services allocation established under s.
1011.62(16).

(10) SCHOOLS OF HOPE PROGRAM.—The Schools of Hope Program
is created within the Department of Education.

(b) A traditional public school that is required to submit
a plan for implementation pursuant to s. 1008.33(4) is eligible
to receive funding for services authorized up to \$2,000 per
full-time equivalent student from the hope supplemental services
allocation established under s. 1011.62(16) ~~Schools of Hope~~
~~Program based upon the strength of the school's plan for~~
~~implementation and its focus on evidence-based interventions~~
~~that lead to student success by providing wrap-around services~~
~~that leverage community assets, improve school and community~~
~~collaboration, and develop family and community partnerships.~~
~~Wrap-around services include, but are not limited to, tutorial~~
~~and after-school programs, student counseling, nutrition~~
~~education, parental counseling, and adult education. Plans for~~
~~implementation may also include models that develop a culture of~~
~~attending college, high academic expectations, character~~
~~development, dress codes, and an extended school day and school~~
~~year. At a minimum, a plan for implementation must:~~

1. ~~Establish wrap-around services that develop family and~~
~~community partnerships.~~

2. ~~Establish clearly defined and measurable high academic~~
~~and character standards.~~

3. ~~Increase parental involvement and engagement in the~~
~~child's education.~~

4. ~~Describe how the school district will identify, recruit,~~



903516

~~retain, and reward instructional personnel. The state board may waive the requirements of s. 1012.22(1)(c)5., and suspend the requirements of s. 1012.34, to facilitate implementation of the plan.~~

~~5. Identify a knowledge-rich curriculum that the school will use that focuses on developing a student's background knowledge.~~

~~6. Provide professional development that focuses on academic rigor, direct instruction, and creating high academic and character standards.~~

(11) SCHOOLS OF HOPE MANAGEMENT.-A hope operator or the owner of a school of hope may not serve as the principal of any school that he or she manages.

Section 11. Section 1002.334, Florida Statutes, is created to read:

1002.334 Franchise model schools.-

(1) As used in this section, the term "franchise model school" means a persistently low-performing school, as defined in s. 1002.333(1)(b), which is led by a highly effective principal in addition to the principal's currently assigned school. If a franchise model school achieves a grade of "C" or higher, the school may retain its status as a franchise model school at the discretion of the school district.

(2) A school district that has one or more persistently low-performing schools may use a franchise model school as a school turnaround option pursuant to s. 1008.33(4)(b)4.

(3) A franchise model school principal:

(a) Must be rated as highly effective pursuant to s. 1012.34;



903516

(b) May lead two or more schools, including a persistently low-performing school or a school that was considered a persistently low-performing school before becoming a franchise model school;

(c) May allocate resources and personnel between the schools under his or her administration; however, he or she must expend hope supplemental services allocation funds, authorized under s. 1011.62(16), at the franchise model school; and

(d) Is eligible to receive a Best and Brightest Principal award under s. 1012.732.

Section 12. Paragraph (d) of subsection (2), paragraphs (d) and (h) of subsection (5), subsection (8), and paragraph (a) of subsection (11) of section 1002.385, Florida Statutes, are amended to read:

1002.385 The Gardiner Scholarship.—

(2) DEFINITIONS.—As used in this section, the term:

(d) "Disability" means, for a 3- or 4-year-old child or for a student in kindergarten to grade 12, autism spectrum disorder, as defined in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, published by the American Psychiatric Association; cerebral palsy, as defined in s. 393.063(6); Down syndrome, as defined in s. 393.063(15); an intellectual disability, as defined in s. 393.063(24); Phelan-McDermid syndrome, as defined in s. 393.063(28); Prader-Willi syndrome, as defined in s. 393.063(29); spina bifida, as defined in s. 393.063(40); being a high-risk child, as defined in s. 393.063(23)(a); muscular dystrophy; Williams syndrome; a rare disease, a disorder that affects ~~diseases which affect~~ patient populations of ~~fewer than~~ 200,000 individuals or fewer in the



903516

United States, as defined by the Orphan Drug Act of 1983, Pub. L. No. 97-414 ~~National Organization for Rare Disorders~~; anaphylaxis; deaf; visually impaired; traumatic brain injured; hospital or homebound; or identification as dual sensory impaired, as defined by rules of the State Board of Education and evidenced by reports from local school districts. The term "hospital or homebound" includes a student who has a medically diagnosed physical or psychiatric condition or illness, as defined by the state board in rule, and who is confined to the home or hospital for more than 6 months.

(5) AUTHORIZED USES OF PROGRAM FUNDS.—Program funds must be used to meet the individual educational needs of an eligible student and may be spent for the following purposes:

(d) Enrollment in, or tuition or fees associated with enrollment in, a home education program, an eligible private school, an eligible postsecondary educational institution or a program offered by the institution, ~~a private tutoring program authorized under s. 1002.43~~, a virtual program offered by a department-approved private online provider that meets the provider qualifications specified in s. 1002.45(2)(a), the Florida Virtual School as a private paying student, or an approved online course offered pursuant to s. 1003.499 or s. 1004.0961.

(h) Tuition and fees for part-time tutoring services provided by a person who holds a valid Florida educator's certificate pursuant to s. 1012.56; a person who holds an adjunct teaching certificate pursuant to s. 1012.57; or a person who has demonstrated a mastery of subject area knowledge pursuant to s. 1012.56(5). As used in this paragraph, the term



903516

“part-time tutoring services” does not qualify as regular school attendance as defined in s. 1003.01(13) ~~s. 1003.01(13)(c)~~.

A provider of any services receiving payments pursuant to this subsection may not share, refund, or rebate any moneys from the Gardiner Scholarship with the parent or participating student in any manner. A parent, student, or provider of any services may not bill an insurance company, Medicaid, or any other agency for the same services that are paid for using Gardiner Scholarship funds.

(8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible private school may be sectarian or nonsectarian and shall:

(a) Comply with all requirements for private schools participating in state school choice scholarship programs pursuant to s. 1002.421.

(b) Provide to the organization, upon request, all documentation required for the student’s participation, including the private school’s and student’s fee schedules.

(c) Be academically accountable to the parent for meeting the educational needs of the student by:

1. At a minimum, annually providing to the parent a written explanation of the student’s progress.

2. Annually administering or making provision for students participating in the program in grades 3 through 10 to take one of the nationally norm-referenced tests identified by the Department of Education or the statewide assessments pursuant to s. 1008.22. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement. A participating private school shall report a student’s scores to



903516

the parent.

3. Cooperating with the scholarship student whose parent chooses to have the student participate in the statewide assessments pursuant to s. 1008.22 or, if a private school chooses to offer the statewide assessments, administering the assessments at the school.

a. A participating private school may choose to offer and administer the statewide assessments to all students who attend the private school in grades 3 through 10.

b. A participating private school shall submit a request in writing to the Department of Education by March 1 of each year in order to administer the statewide assessments in the subsequent school year.

(d) Employ or contract with teachers who have regular and direct contact with each student receiving a scholarship under this section at the school's physical location.

(e) Provide a report from an independent certified public accountant who performs the agreed-upon procedures developed under s. 1002.395(6)(o) if the private school receives more than \$250,000 in funds from scholarships awarded under this chapter ~~section~~ in a state fiscal year. A private school subject to this paragraph must annually submit the report by September 15 to the organization that awarded the majority of the school's scholarship funds. The agreed-upon procedures must be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants.

If a private school fails or refuses ~~is unable~~ to meet the requirements of this subsection or has consecutive years of



903516

material exceptions listed in the report required under paragraph (e), the commissioner may determine that the private school is ineligible to participate in the program.

(11) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM PARTICIPATION.—A parent who applies for program participation under this section is exercising his or her parental option to determine the appropriate placement or the services that best meet the needs of his or her child. The scholarship award for a student is based on a matrix that assigns the student to support Level III services. If a parent receives an IEP and a matrix of services from the school district pursuant to subsection (7), the amount of the payment shall be adjusted as needed, when the school district completes the matrix.

(a) To satisfy or maintain program eligibility, including eligibility to receive and spend program payments, the parent must sign an agreement with the organization and annually submit a notarized, sworn compliance statement to the organization to:

1. Affirm that the student is enrolled in a program that meets regular school attendance requirements as provided in s. 1003.01(13)(b) or (c) ~~s. 1003.01(13)(b) — (d)~~.

2. Affirm that the program funds are used only for authorized purposes serving the student's educational needs, as described in subsection (5).

3. Affirm that the parent is responsible for the education of his or her student by, as applicable:

a. Requiring the student to take an assessment in accordance with paragraph (8)(c);

b. Providing an annual evaluation in accordance with s. 1002.41(1)(c); or



903516

c. Requiring the child to take any preassessments and postassessments selected by the provider if the child is 4 years of age and is enrolled in a program provided by an eligible Voluntary Prekindergarten Education Program provider. A student with disabilities for whom a preassessment and postassessment is not appropriate is exempt from this requirement. A participating provider shall report a student's scores to the parent.

4. Affirm that the student remains in good standing with the provider or school if those options are selected by the parent.

A parent who fails to comply with this subsection forfeits the Gardiner Scholarship.

Section 13. Subsection (3), paragraph (f) of subsection (6), and subsection (8) of section 1002.39, Florida Statutes, are amended to read:

1002.39 The John M. McKay Scholarships for Students with Disabilities Program.—There is established a program that is separate and distinct from the Opportunity Scholarship Program and is named the John M. McKay Scholarships for Students with Disabilities Program.

(3) JOHN M. MCKAY SCHOLARSHIP PROHIBITIONS.—A student is not eligible for a John M. McKay Scholarship:

(a) While he or she is enrolled in a school operating for the purpose of providing educational services to youth in Department of Juvenile Justice commitment programs;

(b) While he or she is receiving a Florida tax credit scholarship under s. 1002.395;

(c) While he or she is receiving an educational scholarship



903516

pursuant to this chapter;

(d) While he or she is participating in a home education program as defined in s. 1002.01(1);

~~(e) While he or she is participating in a private tutoring program pursuant to s. 1002.43;~~

(e)~~(f)~~ While he or she is participating in a virtual school, correspondence school, or distance learning program that receives state funding pursuant to the student's participation unless the participation is limited to no more than two courses per school year;

(f)~~(g)~~ While he or she is enrolled in the Florida School for the Deaf and the Blind;

(g)~~(h)~~ While he or she is not having regular and direct contact with his or her private school teachers at the school's physical location unless he or she is enrolled in the private school's transition-to-work program pursuant to subsection (10); or

(h)~~(i)~~ If he or she has been issued a temporary 504 accommodation plan under s. 504 of the Rehabilitation Act of 1973 which is valid for 6 months or less.

(6) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department shall:

(f)1. Conduct ~~random~~ site visits to private schools participating in the John M. McKay Scholarships for Students with Disabilities Program as authorized under s. 1002.421(7). The purposes ~~purpose~~ of the site visits are ~~is solely~~ to verify compliance with the provisions of subsection (7) aimed at protecting the health, safety, and welfare of students and to verify the information reported by the schools concerning the



903516

enrollment and attendance of students, the credentials of teachers, background screening of teachers, and teachers' fingerprinting results, which information is required by rules of the State Board of Education, subsection (8), and s. 1002.421. The Department of Education may ~~not~~ make followup more than three random site visits at any time to any school that has received a notice of noncompliance or a notice of proposed action within the previous 2 years pursuant to subsection (7) ~~each year and may not make more than one random site visit each year to the same private school.~~

2. Annually, by December 15, report to the Governor, the President of the Senate, and the Speaker of the House of Representatives the Department of Education's actions with respect to implementing accountability in the scholarship program under this section and s. 1002.421, any substantiated allegations or violations of law or rule by an eligible private school under this program concerning the enrollment and attendance of students, the credentials of teachers, background screening of teachers, and teachers' fingerprinting results and the corrective action taken by the Department of Education.

(8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—To be eligible to participate in the John M. McKay Scholarships for Students with Disabilities Program, a private school may be sectarian or nonsectarian and must:

(a) Comply with all requirements for private schools participating in state school choice scholarship programs pursuant to s. 1002.421.

(b) Provide to the department all documentation required for a student's participation, including the private school's



903516

and student's fee schedules, at least 30 days before any quarterly scholarship payment is made for the student pursuant to paragraph (11)(e). A student is not eligible to receive a quarterly scholarship payment if the private school fails to meet this deadline.

(c) Be academically accountable to the parent for meeting the educational needs of the student by:

1. At a minimum, annually providing to the parent a written explanation of the student's progress.

2. Cooperating with the scholarship student whose parent chooses to participate in the statewide assessments pursuant to s. 1008.22.

(d) Maintain in this state a physical location where a scholarship student regularly attends classes.

(e) If the private school that participates in a state scholarship program under this chapter receives more than \$250,000 in funds from scholarships awarded under chapter 1002 in a state fiscal year, provide an annual report from an independent certified public accountant who performs the agreed-upon procedures developed under s. 1002.395(6)(o). Such a private school must annually submit the required report by September 15 to the organization that awarded the majority of the school's scholarship funds. The agreed-upon procedures must be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants.

The failure or refusal ~~inability~~ of a private school to meet the requirements of this subsection shall constitute a basis for the



903516

ineligibility of the private school to participate in the scholarship program as determined by the department.

Section 14. Subsection (4), paragraph (o) of subsection (6), subsection (8), and paragraph (n) of subsection (9) of section 1002.395, Florida Statutes, are amended to read:

1002.395 Florida Tax Credit Scholarship Program.—

(4) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for a scholarship while he or she is:

(a) Enrolled in a school operating for the purpose of providing educational services to youth in Department of Juvenile Justice commitment programs;

(b) Receiving a scholarship from another eligible nonprofit scholarship-funding organization under this section;

(c) Receiving an educational scholarship pursuant to chapter 1002;

(d) Participating in a home education program as defined in s. 1002.01(1);

~~(e) Participating in a private tutoring program pursuant to s. 1002.43;~~

(e)~~(f)~~ Participating in a virtual school, correspondence school, or distance learning program that receives state funding pursuant to the student's participation unless the participation is limited to no more than two courses per school year; or

(f)~~(g)~~ Enrolled in the Florida School for the Deaf and the Blind.

(6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS.—An eligible nonprofit scholarship-funding organization:

(o)1.a. Must participate in the joint development of



903516

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



903516

provided the majority of the scholarship funding to the school.
For each private school subject to paragraph (8)(e), the
appropriate scholarship-funding organization shall notify the
Commissioner of Education by October 30, 2011, and annually
thereafter of:

(I) A private school's failure to submit a report required
under paragraph (8)(e); or

(II) Any material exceptions set forth in the report
required under paragraph (8)(e).

2. Must seek input from the accrediting associations that
are members of the Florida Association of Academic Nonpublic
Schools when jointly developing the agreed-upon procedures and
guidelines under sub-subparagraph 1.a. and conducting a review
of those procedures and guidelines under sub-subparagraph 1.b.

Information and documentation provided to the Department of
Education and the Auditor General relating to the identity of a
taxpayer that provides an eligible contribution under this
section shall remain confidential at all times in accordance
with s. 213.053.

(8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible
private school may be sectarian or nonsectarian and must:

(a) Comply with all requirements for private schools
participating in state school choice scholarship programs
pursuant to s. 1002.421.

(b) Provide to the eligible nonprofit scholarship-funding
organization, upon request, all documentation required for the
student's participation, including the private school's and
student's fee schedules.



903516

(c) Be academically accountable to the parent for meeting the educational needs of the student by:

1. At a minimum, annually providing to the parent a written explanation of the student's progress.

2. Annually administering or making provision for students participating in the scholarship program in grades 3 through 10 to take one of the nationally norm-referenced tests identified by the Department of Education or the statewide assessments pursuant to s. 1008.22. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement. A participating private school must report a student's scores to the parent. A participating private school must annually report by August 15 the scores of all participating students to the Learning System Institute described in paragraph (9)(j).

3. Cooperating with the scholarship student whose parent chooses to have the student participate in the statewide assessments pursuant to s. 1008.22 or, if a private school chooses to offer the statewide assessments, administering the assessments at the school.

a. A participating private school may choose to offer and administer the statewide assessments to all students who attend the private school in grades 3 through 10.

b. A participating private school must submit a request in writing to the Department of Education by March 1 of each year in order to administer the statewide assessments in the subsequent school year.

(d) Employ or contract with teachers who have regular and direct contact with each student receiving a scholarship under



903516

this section at the school's physical location.

(e) Provide a report from an independent certified public accountant who performs the agreed-upon procedures developed under paragraph (6)(o) if the private school receives more than \$250,000 in funds from scholarships awarded under this chapter section in a state fiscal year. A private school subject to this paragraph must annually submit the report by September 15 to the scholarship-funding organization that awarded the majority of the school's scholarship funds. The agreed-upon procedures must be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants.

If a private school fails or refuses ~~is unable~~ to meet the requirements of this subsection or has consecutive years of material exceptions listed in the report required under paragraph (e), the commissioner may determine that the private school is ineligible to participate in the scholarship program as determined by the Department of Education.

(9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of Education shall:

(n)1. Conduct site visits to private schools participating in the Florida Tax Credit Scholarship Program as authorized under s. 1002.421(7). The purposes ~~purpose~~ of the site visits are ~~is solely~~ to verify compliance with the provisions of subsection (11) aimed at protecting the health, safety, and welfare of students and to verify the information reported by the schools concerning the enrollment and attendance of students, the credentials of teachers, background screening of



903516

teachers, and teachers' fingerprinting results. ~~The Department of Education may not make more than seven site visits each year; however,~~ The department may make followup additional site visits at any time to any school that, pursuant to subsection (11), has received a notice of noncompliance or a notice of proposed action within the previous 2 years.

2. Annually, by December 15, report to the Governor, the President of the Senate, and the Speaker of the House of Representatives the Department of Education's actions with respect to implementing accountability in the scholarship program under this section and s. 1002.421, any substantiated allegations or violations of law or rule by an eligible private school under this program concerning the enrollment and attendance of students, the credentials of teachers, background screening of teachers, and teachers' fingerprinting results and the corrective action taken by the Department of Education.

Section 15. Section 1002.40, Florida Statutes, is created to read:

1002.40 The Hope Scholarship Program.—

(1) PURPOSE.—The Hope Scholarship Program is established to provide the parent of a public school student who was the victim of a substantiated incident of violence or abuse, as listed in subsection (3), an opportunity to transfer the student to another public school that has capacity or to request and receive a scholarship for the student to enroll in and attend an eligible private school.

(2) DEFINITIONS.—As used in this section, the term:

(a) "Department" means the Department of Education.

(b) "Eligible contribution" or "contribution" means a



903516

monetary contribution from a person required to pay sales and
use tax on the purchase or acquisition of a motor vehicle,
subject to the restrictions provided in this section, to an
eligible nonprofit scholarship-funding organization. The
taxpayer making the contribution may not designate a specific
student as the beneficiary of the contribution.

(c) "Eligible nonprofit scholarship-funding organization"
or "organization" has the same meaning as provided in s.
1002.395(2)(f), as determined by the department.

(d) "Eligible private school" has the same meaning as
provided in s. 1002.395(2)(g), as determined by the department.

(e) "Motor vehicle" has the same meaning as provided in s.
320.01(1)(a), but does not include heavy trucks, truck tractors,
trailers, and motorcycles.

(f) "Parent" means a resident of this state who is a
parent, as defined in s. 1000.21, and whose public school
student was the victim of a reported incident, as listed in
subsection (3).

(g) "Principal" means the principal or his or her designee.

(h) "Program" means the Hope Scholarship Program.

(i) "School" includes any educational program or activity
conducted by a public K-12 educational institution, any school-
related or school-sponsored program or activity, and riding on a
school bus, as defined in s. 1006.25(1), including waiting at a
school bus stop.

(j) "Unweighted FTE funding amount" means the statewide
average total funds per unweighted full-time equivalent funding
amount that is incorporated by reference in the General
Appropriations Act for the applicable state fiscal year.



903516

(3) PROGRAM ELIGIBILITY.—Beginning with the 2018-2019 school year, contingent upon available funds, and on a first-come, first-served basis, a student enrolled full time in a Florida public school in kindergarten through grade 12 is eligible for a scholarship under this program if all of the following conditions are met:

(a) The student is the victim of a substantiated incident of battery; harassment; hazing; bullying; kidnapping; physical attack; robbery; sexual offenses, harassment, assault, or battery; threat or intimidation; or fighting at school.

(b) The incident is formally reported by the victim or the victim's parent to the principal.

(c) Through an investigation, the principal finds that the incident is substantiated.

(d) The principal's investigation remains open or the district's resolution of issues related to the incident remain unresolved after timely notification, deliberative evaluation, and 30 days of responsible and appropriate action taken in accordance with paragraph (5) (a).

(4) PROGRAM PROHIBITIONS.—Payment of a scholarship may not be made if a student is:

(a) Enrolled in a public school, including, but not limited to, the Florida School for the Deaf and the Blind; the College-Preparatory Boarding Academy; the Florida Virtual School; a developmental research school authorized under s. 1002.32; or a charter school authorized under s. 1002.33, s. 1002.331, s. 1002.332, or s. 1002.333;

(b) Enrolled in a school operating for the purpose of providing educational services to youth in the Department of



903516

Juvenile Justice commitment programs;

(c) Participating in a virtual school, correspondence school, or distance learning program that receives state funding pursuant to the student's participation unless the participation is limited to no more than two courses per school year;

(d) Receiving any other educational scholarship pursuant to this chapter; or

(e) Participating in a home education program, as defined in s. 1002.01.

(5) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.—

(a)1. Within 24 hours after receipt of a formal report of an incident listed in subsection (3)(a), the principal shall provide a copy of the report to the victim's parent and the alleged offender's parent. The report must include a statement of the expected investigative actions and the timeline for reporting the outcome of the investigation. Within 24 hours after receipt of the formal report, the principal must also provide the superintendent with a copy of the report and verification that the parents of the victim and the alleged offender have been provided a copy of the incident report and other required information.

2. In accordance with s. 1006.09, the principal must investigate the incident to determine if the incident is substantiated or unsubstantiated, and if the incident must be reported. The principal may, at his or her discretion, determine the extent to which each student was engaged in instigating, initiating, or reacting to a physical altercation, and may consider such information when evaluating and determining appropriate disciplinary actions and investigation outcomes.



903516

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



903516

scholarship-funding organization that verifies the student's eligibility.

6. To facilitate timely, appropriate, and fiscally accountable scholarship payments, school districts must report and verify student enrollment information during and outside of regular FTE student enrollment survey periods, as requested by the department pursuant to paragraph (7) (d).

(b)1. A parent who, pursuant to s. 1002.31, chooses to enroll his or her student in a Florida public school located outside the district in which the student resides shall be eligible for a scholarship under paragraph (11) (b) to transport the student.

2. For each student participating in the program in a private school who chooses to participate in the statewide assessments under s. 1008.22 or the Florida Alternate Assessment, the school district in which the student resides must notify the student and his or her parent about the locations and times to take all statewide assessments.

(6) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible private school may be sectarian or nonsectarian and shall:

(a) Meet the definition of a private school in s. 1002.01 and comply with all requirements for private schools participating in state school choice scholarship programs pursuant to this section and s. 1002.421.

(b) Provide to the organization and the department, upon request, all documentation required for the student's participation, including, but not limited to, the private school's and the student's fee schedules.

(c) Be academically accountable to the parent for meeting



903516

the educational needs of the student by:

1. At a minimum, annually providing to the parent a written explanation of the student's progress.

2. Annually administering or making provision for students participating in the program in grades 3 through 10 to take one of the nationally norm-referenced tests identified by the department or the statewide assessments pursuant to s. 1008.22. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement. A participating private school shall report a student's scores to his or her parent.

3. Cooperating with the student whose parent chooses to have the student participate in the statewide assessments pursuant to s. 1008.22 or, if a private school chooses to offer the statewide assessments, administering the assessments at the school.

a. A participating private school may choose to offer and administer the statewide assessments to all students who attend the private school in grades 3 through 10.

b. A participating private school shall submit a request in writing to the department by March 1 of each year in order to administer the statewide assessments in the subsequent school year.

(d) Employ or contract with teachers who have regular and direct contact with each student receiving a scholarship under this section at the school's physical location.

(e) Maintain in this state a physical location where a scholarship student regularly attends classes.

(f) Provide a report from an independent certified public



903516

accountant who performs the agreed-upon procedures developed
under s. 1002.395(6)(o) if the private school receives more than
\$250,000 in funds from scholarships awarded under this section
in a state fiscal year. A private school subject to this
paragraph must annually submit the report by September 15 to the
organization that awarded the majority of the school's
scholarship funds. The agreed-upon procedures must be conducted
in accordance with attestation standards established by the
American Institute of Certified Public Accountants.

The failure of a private school to meet the requirements of this
subsection constitutes a basis for the ineligibility of the
private school to participate in the program, as determined by
the department.

(7) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department
shall:

(a) Establish a toll-free hotline that provides parents and
private schools with information on participation in the
program.

(b) Annually verify the eligibility of private schools that
meet the requirements of subsection (6).

(c) Require an annual notarized and sworn compliance
statement by participating private schools certifying compliance
with state laws and retain such records.

(d) Cross-check the list of participating students with the
public school enrollment lists and participation lists in other
scholarship programs established under this chapter before each
scholarship payment to avoid duplication.

(e) Maintain a list of nationally norm-referenced tests



903516

identified for purposes of satisfying the testing requirement in paragraph (9)(f). The tests must meet industry standards of quality in accordance with State Board of Education rule.

(f) Require quarterly reports by an eligible nonprofit scholarship-funding organization regarding the number of students participating in the scholarship program, the private schools in which the students are enrolled, and other information deemed necessary by the department.

(g) Contract with an independent entity to provide an annual evaluation of the program by:

1. Reviewing the school climate and code of student conduct of each public school that reported the occurrence of a monthly average of 10 or more substantiated incidents to determine areas in the school or school district procedures involving reporting, investigating, and communicating a parent's and student's rights which are in need of improvement. At a minimum, the review must include:

a. An assessment of the investigation time and quality of the response of the school and the school district;

b. An assessment of the effectiveness of communication procedures with the students involved in an incident, the students' parents, and the school and school district personnel;

c. An analysis of school incident and discipline data; and

d. The challenges and obstacles relating to implementing recommendations from this review.

2. Reviewing the school climate and code of student conduct of each public school a student transferred to if the student was from a school identified in subparagraph 1. in order to identify best practices and make recommendations to a public



903516

school at which the incidents occurred.

3. Reviewing the performance of participating students enrolled in a private school in which the majority of the school's total enrolled students in the prior school year participated in one or more scholarship programs, as defined in s. 1002.01, in which there are at least 10 participating students who have scores for tests administered; and reviewing the school climate and code of student conduct of the private school if one or more scholarship participants were involved in a reported incident at the school during the prior school year.

4. Surveying the parents of participating students to determine academic, safety, and school climate satisfaction and to identify any challenges or obstacles in addressing the incident or relating to the use of the scholarship.

(h) Upon the request of a participating private school, provide at no cost to the school the statewide assessments administered under s. 1008.22 and any related materials for administering the assessments. Students at a private school may be assessed using the statewide assessments if the addition of those students and the school does not cause the state to exceed its contractual caps for the number of students tested and the number of testing sites. The state shall provide the same materials and support to a private school that it provides to a public school. A private school that chooses to administer statewide assessments under s. 1008.22 shall follow the requirements set forth in ss. 1008.22 and 1008.24, rules adopted by the State Board of Education to implement those sections, and district-level testing policies established by the district school board.



903516

(i) Establish a process by which individuals may notify the department of any violation by a parent, private school, or school district of state laws relating to program participation. The department shall conduct an inquiry or make a referral to the appropriate agency for an investigation of any written complaint of a violation of this section if the complaint is signed by the complainant and is legally sufficient. A complaint is legally sufficient if such complaint contains ultimate facts that show that a violation of this section or any rule adopted by the State Board of Education pursuant to this section has occurred. In order to determine legal sufficiency, the department may require supporting information or documentation from the complainant. A department inquiry is not subject to the requirements of chapter 120.

(j)1. Conduct site visits to participating private schools. The purpose of the site visits is solely to verify the information reported by the schools concerning the enrollment and attendance of students, the credentials of teachers, background screening of teachers, teachers' fingerprinting results, and other conditions required pursuant to s. 1002.421 and this section. The department may not make more than seven site visits each year; however, the department may make additional site visits at any time to a school that is the subject of a violation complaint submitted pursuant to paragraph (i), is identified by an organization for a known or suspected violation, or has received a notice of noncompliance or a notice of proposed action within the current year or the previous 2 years.

2. Annually, by December 15, report to the Governor, the



903516

President of the Senate, and the Speaker of the House of
Representatives the department's actions with respect to
implementing accountability in the program under this section
and s. 1002.421, any substantiated allegations or violations of
law or rule by an eligible private school under this program,
and the corrective action taken by the department.

(8) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—

(a) The Commissioner of Education:

1. Shall deny, suspend, or revoke a private school's
participation in the program if it is determined that the
private school has failed to comply with the provisions of this
section. However, if the noncompliance is correctable within a
reasonable amount of time and if the health, safety, or welfare
of the students is not threatened, the commissioner may issue a
notice of noncompliance which provides the private school with a
timeframe within which to provide evidence of compliance before
taking action to suspend or revoke the private school's
participation in the program.

2. May deny, suspend, or revoke a private school's
participation in the program if the commissioner determines that
an owner or operator of the private school is operating or has
operated an educational institution in this state or in another
state or jurisdiction in a manner contrary to the health,
safety, or welfare of the public.

a. In making such a determination, the commissioner may
consider factors that include, but are not limited to, acts or
omissions by an owner or operator which led to a previous denial
or revocation of participation in an education scholarship
program; an owner's or operator's failure to reimburse the



903516

department for scholarship funds improperly received or retained
by a school; imposition of a prior criminal sanction related to
an owner's or operator's management or operation of an
educational institution; imposition of a civil fine or
administrative fine, license revocation or suspension, or
program eligibility suspension, termination, or revocation
related to an owner's or operator's management or operation of
an educational institution; or other types of criminal
proceedings in which an owner or operator was found guilty of,
regardless of adjudication, or entered a plea of nolo contendere
or guilty to, any offense involving fraud, deceit, dishonesty,
or moral turpitude.

b. For purposes of this subparagraph, the term "owner or
operator" includes an owner, operator, superintendent, or
principal of, or a person who has equivalent decisionmaking
authority over, a private school participating in the
scholarship program.

(b) The commissioner's determination is subject to the
following:

1. If the commissioner intends to deny, suspend, or revoke
a private school's participation in the program, the department
shall notify the private school of such proposed action in
writing by certified mail and regular mail to the private
school's address of record with the department. The notification
shall include the reasons for the proposed action and notice of
the timelines and procedures set forth in this paragraph.

2. The private school that is adversely affected by the
proposed action shall have 15 days after receipt of the notice
of proposed action to file with the department's agency clerk a



903516

request for a proceeding pursuant to ss. 120.569 and 120.57. If the private school is entitled to a hearing under s. 120.57(1), the department shall refer the request to the Division of Administrative Hearings.

3. Upon receipt of a request referred pursuant to this paragraph, the director of the Division of Administrative Hearings shall expedite the hearing and assign an administrative law judge who shall commence a hearing within 30 days after the receipt of the formal written request by the division and enter a recommended order within 30 days after the hearing or within 30 days after receipt of the hearing transcript, whichever is later. Each party shall be allowed 10 days in which to submit written exceptions to the recommended order. A final order shall be entered by the agency within 30 days after the entry of a recommended order. The provisions of this subparagraph may be waived upon stipulation by all parties.

(c) The commissioner may immediately suspend payment of scholarship funds if it is determined that there is probable cause to believe that there is:

1. An imminent threat to the health, safety, or welfare of the students; or

2. Fraudulent activity on the part of the private school. Notwithstanding s. 1002.22, in incidents of alleged fraudulent activity pursuant to this section, the department's Office of Inspector General is authorized to release personally identifiable records or reports of students to the following persons or organizations:

a. A court of competent jurisdiction in compliance with an order of that court or the attorney of record in accordance with



903516

a lawfully issued subpoena, consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

b. A person or entity authorized by a court of competent jurisdiction in compliance with an order of that court or the attorney of record pursuant to a lawfully issued subpoena, consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

c. Any person, entity, or authority issuing a subpoena for law enforcement purposes when the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g, and 34 C.F.R. s. 99.31.

The commissioner's suspension of payment pursuant to this paragraph may be appealed pursuant to the same procedures and timelines as the notice of proposed action set forth in paragraph (b).

(9) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM PARTICIPATION.—A parent who applies for a Hope Scholarship is exercising his or her parental option to place his or her student in an eligible private school.

(a) The parent must select an eligible private school and apply for the admission of his or her student.

(b) The parent must inform the student's school district when the parent withdraws his or her student to attend an eligible private school.

(c) Any student participating in the program must comply with the regular attendance requirements of s. 1003.01(13) and



903516

remain in attendance throughout the school year unless excused by the school for illness or other good cause.

(d) Each parent and each student has an obligation to the private school to comply with the private school's published policies.

(e) Upon reasonable notice to the department and the school district, the parent may remove the student from the private school and place the student in a public school in accordance with this section.

(f) The parent must ensure that the student participating in the program takes the norm-referenced assessment offered by the private school. The parent may also choose to have the student participate in the statewide assessments pursuant to s. 1008.22. If the parent requests that the student participating in the program take the statewide assessments pursuant to s. 1008.22 and the private school has not chosen to offer and administer the statewide assessments, the parent is responsible for transporting the student to the assessment site designated by the school district.

(g) Upon receipt of a scholarship warrant, the parent to whom the warrant is made must restrictively endorse the warrant to the private school for deposit into the account of the private school. The parent may not designate any entity or individual associated with the participating private school as the parent's attorney in fact to endorse a scholarship warrant. A parent who fails to comply with this paragraph forfeits the scholarship.

(10) OBLIGATIONS OF NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS.—An organization may establish scholarships for



903516

eligible students by:

(a) Receiving applications and determining student eligibility in accordance with the requirements of this section.

(b) Notifying parents of their receipt of a scholarship on a first-come, first-served basis, based upon available funds.

(c) Preparing and submitting quarterly and annual reports to the department pursuant to paragraphs (7)(f) and (g). In addition, an eligible nonprofit scholarship-funding organization must submit in a timely manner any information requested by the department relating to the scholarship program.

(d) Notifying the department of any known or suspected violation of this section by a private school, parent, or student.

(11) FUNDING AND PAYMENT.—

(a) The maximum amount awarded to a student enrolled in an eligible private school shall be determined as a percentage of the unweighted FTE funding amount for that state fiscal year and thereafter as follows:

1. Eighty-eight percent for a student enrolled in kindergarten through grade 5.

2. Ninety-two percent for a student enrolled in grade 6 through grade 8.

3. Ninety-six percent for a student enrolled in grade 9 through grade 12.

(b) The maximum amount awarded to a student enrolled in a Florida public school located outside of the district in which the student resides shall be \$750.

(c) When a student enters the program, the organization must receive all documentation required for the student's



903516

participation, including a copy of the report of the substantiated incident received pursuant to subsection (5) and the private school's and the student's fee schedules. The initial payment shall be made after verification of admission acceptance, and subsequent payments shall be made upon verification of continued enrollment and attendance at the private school.

(d) Payment of the scholarship by the eligible nonprofit scholarship-funding organization may be by individual warrant made payable to the student's parent or by funds transfer made by debit cards, electronic payment cards, or other means of payment which the department deems to be commercially viable or cost-effective. If payment is made by warrant, the warrant must be delivered by the eligible nonprofit scholarship-funding organization to the private school of the parent's choice, and the parent shall restrictively endorse the warrant to the private school. If payment is made by funds transfer, the parent must approve each payment before the scholarship funds may be deposited. The parent may not designate any entity or individual associated with the participating private school as the parent's attorney in fact to endorse a scholarship warrant or approve a funds transfer.

(e) An eligible nonprofit scholarship-funding organization shall obtain verification from the private school of a student's continued attendance at the school for each period covered by a scholarship payment.

(f) Payment of the scholarship shall be made by the eligible nonprofit scholarship-funding organization no less frequently than on a quarterly basis.



903516

(g) An organization may use up to 3 percent of eligible contributions received during the state fiscal year in which such contributions are collected for administrative expenses if the organization has operated as an eligible nonprofit scholarship-funding organization for at least the preceding 3 fiscal years and did not have any findings of material weakness or material noncompliance in its most recent audit under s. 1002.395(6)(m). Such administrative expenses must be reasonable and necessary for the organization's management and distribution of eligible contributions under this section. Funds authorized under this paragraph may not be used for lobbying or political activity or expenses related to lobbying or political activity. Up to one-third of the funds authorized for administrative expenses under this paragraph may be used for expenses related to the recruitment of contributions from taxpayers. An eligible nonprofit scholarship-funding organization may not charge an application fee.

(h) Moneys received pursuant to this section do not constitute taxable income to the qualified student or his or her parent.

(12) OBLIGATIONS OF THE AUDITOR GENERAL.—

(a) The Auditor General shall conduct an annual operational audit of accounts and records of each organization that participates in the program. As part of this audit, the Auditor General shall verify, at a minimum, the total number of students served and transmit that information to the department. The Auditor General shall provide the commissioner with a copy of each annual operational audit performed pursuant to this subsection within 10 days after the audit is finalized.



903516

(b) The Auditor General shall notify the department of any organization that fails to comply with a request for information.

(13) SCHOLARSHIP FUNDING TAX CREDITS.—

(a) A tax credit is available under s. 212.1832 for use by a taxpayer that makes an eligible contribution to the program. Each eligible contribution is limited to a single payment of \$20 at the time of purchase of a motor vehicle or a single payment of \$20 at the time of registration of a motor vehicle that was not purchased from a dealer. An eligible contribution shall be accompanied by an election to contribute to the program and shall be made by the purchaser at the time of purchase or at the time of registration on a form provided by the Department of Revenue. Payments of contributions shall be made to a dealer, as defined in chapter 212, at the time of purchase of a motor vehicle or to an agent of the Department of Revenue, as designated by s. 212.06(10), at the time of registration of a motor vehicle that was not purchased from a dealer.

(b) A tax collector or any person or firm authorized to sell or issue a motor vehicle license who is designated as an agent of the Department of Revenue pursuant to s. 212.06(10) or who is a dealer shall:

1. Provide the purchaser the contribution election form, as prescribed by the Department of Revenue, at the time of purchase of a motor vehicle or at the time of registration of a motor vehicle that was not purchased from a dealer.

2. Collect eligible contributions.

3. Using a form provided by the Department of Revenue, which shall include the dealer's or agent's federal employer



903516

identification number, remit to an organization on or before the 20th day of each month the total amount of contributions made to that organization and collected during the preceding calendar month.

4. Report on each return filed with the Department of Revenue the total amount of credits allowed under s. 212.1832 during the preceding calendar month.

(c) An organization shall report to the Department of Revenue, on or before the 20th day of each month, the total amount of contributions received pursuant to paragraph (b) in the preceding calendar month on a form provided by the Department of Revenue. Such report shall include the federal employer identification number of each tax collector, authorized agent of the Department of Revenue, or dealer who remitted contributions to the organization during that reporting period.

(d) A person who, with intent to unlawfully deprive or defraud the program of its moneys or the use or benefit thereof, fails to remit a contribution collected under this section is guilty of theft of charitable funds, punishable as follows:

1. If the total amount stolen is less than \$300, the offense is a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. Upon a second conviction, the offender is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. Upon a third or subsequent conviction, the offender is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. If the total amount stolen is \$300 or more, but less than \$20,000, the offense is a felony of the third degree,



903516

punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. If the total amount stolen is \$20,000 or more, but less than \$100,000, the offense is a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

4. If the total amount stolen is \$100,000 or more, the offense is a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(e) A person convicted of an offense under paragraph (d) shall be ordered by the sentencing judge to make restitution to the organization in the amount that was stolen from the program.

(14) LIABILITY.—The state is not liable for the award or any use of awarded funds under this section.

(15) SCOPE OF AUTHORITY.—This section does not expand the regulatory authority of this state, its officers, or any school district to impose additional regulation on participating private schools beyond those reasonably necessary to enforce requirements expressly set forth in this section.

(16) RULES.—The State Board of Education shall adopt rules to administer this section.

Section 16. Present subsection (7) of section 1002.421, Florida Statutes, is amended and redesignated as subsection (11), a new subsection (7) and subsections (8), (9), and (10) are added to that section, and subsection (1), paragraphs (h) and (i) of subsection (2), and subsections (4) and (5) of that section are amended, to read:

1002.421 Accountability of private schools participating in state school choice scholarship programs.—

(1) (a) A Florida private school participating in the Florida Tax Credit Scholarship Program established pursuant to



903516

s. 1002.395 or an educational scholarship program established pursuant to this chapter must comply with all requirements of this section in addition to private school requirements outlined in s. 1002.42, specific requirements identified within respective scholarship program laws, and other provisions of Florida law that apply to private schools.

(b) For purposes of this section, the term "owner or operator" includes an owner, operator, superintendent, or principal of an eligible private school or a person with equivalent decisionmaking authority over an eligible private school.

(2) A private school participating in a scholarship program must be a Florida private school as defined in s. 1002.01(2), must be registered in accordance with s. 1002.42, and must:

(h) Employ or contract with teachers who:

1. Unless otherwise specified under this paragraph, hold baccalaureate or higher degrees, have at least 3 years of teaching experience in public or private schools, or have objectively identified special skills, knowledge, or expertise that qualifies them to provide instruction in subjects taught.

2. Hold baccalaureate or higher degrees from a regionally or nationally accredited college or university in the United States or from a recognized college or university in another country. This subparagraph applies to full-time teachers hired after July 1, 2018, who are teaching students in grade 2 or above.

The private school must report to the department, in a format developed by the department, the qualifications of each teacher



903516

hired by the school, including, but not limited to, an explanation of the objectively identified special skills or expertise of such teachers, as applicable. Additionally, the private school must provide to the parent of each scholarship student, on the school's website or on a written form provided by the school, the qualifications of each classroom teacher.

(i) Require each employee and contracted personnel with direct student contact, upon employment or engagement to provide services, to undergo a state and national background screening, pursuant to s. 943.0542, by electronically filing with the Department of Law Enforcement a complete set of fingerprints taken by an authorized law enforcement agency or an employee of the private school, a school district, or a private company who is trained to take fingerprints and deny employment to or terminate an employee if he or she fails to meet the screening standards under s. 435.04. Results of the screening shall be provided to the participating private school. For purposes of this paragraph:

1. An "employee or contracted personnel with direct student contact" means any employee or contracted personnel who has unsupervised access to a scholarship student for whom the private school is responsible.

2. The costs of fingerprinting and the background check shall not be borne by the state.

3. Continued employment of an employee or contracted personnel after notification that he or she has failed the background screening under this paragraph shall cause a private school to be ineligible for participation in a scholarship program.



903516

4. An employee or contracted personnel holding a valid Florida teaching certificate who has been fingerprinted pursuant to s. 1012.32 and who is not ineligible for employment pursuant to s. 1012.315 is not required to comply with the provisions of this paragraph.

(4) A private school that accepts scholarship students under this chapter ~~s. 1002.39 or s. 1002.395~~ must:

(a) Disqualify instructional personnel and school administrators, as defined in s. 1012.01, from employment in any position that requires direct contact with students if the personnel or administrators are ineligible for such employment under s. 1012.315.

(b) Adopt and faithfully implement policies establishing standards of ethical conduct for instructional personnel and school administrators. The policies must require all instructional personnel and school administrators, as defined in s. 1012.01, to complete training on the standards; establish the duty of instructional personnel and school administrators to report, and procedures for reporting, alleged misconduct by other instructional personnel and school administrators which affects the health, safety, or welfare of a student; and include an explanation of the liability protections provided under ss. 39.203 and 768.095. A private school, or any of its employees, may not enter into a confidentiality agreement regarding terminated or dismissed instructional personnel or school administrators, or personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide the instructional personnel or school



903516

administrators with employment references or discuss the personnel's or administrators' performance with prospective employers in another educational setting, without disclosing the personnel's or administrators' misconduct. Any part of an agreement or contract that has the purpose or effect of concealing misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student is void, is contrary to public policy, and may not be enforced.

(c) Before employing instructional personnel or school administrators in any position that requires direct contact with students, conduct employment history checks of each of the personnel's or administrators' previous employers, screen the personnel or administrators through use of the educator screening tools described in s. 1001.10(5), and document the findings. If unable to contact a previous employer, the private school must document efforts to contact the employer.

The department shall suspend the payment of funds under this chapter ~~ss. 1002.39 and 1002.395~~ to a private school that ~~knowingly~~ fails or refuses to comply with this subsection, and shall prohibit the school from enrolling new scholarship students, for 1 fiscal year and until the school complies.

(5) The failure or refusal ~~inability~~ of a private school to meet the requirements of this section shall constitute a basis for the ineligibility of the private school to participate in a scholarship program as determined by the department.

Additionally, a private school is ineligible to participate in a state scholarship program under this chapter if the owner or



903516

operator of the private school was a debtor in a voluntary or involuntary bankruptcy petition within the most recent 5 years.

(7) (a) The department must annually visit at least 5 percent, and may annually visit up to 7 percent, of the private schools that participate in the state scholarship programs under this chapter. Site visits required under subsection (8) are not included in the annual site visits authorized under this paragraph.

(b) The purposes of the site visits are to verify compliance with the provisions of this section aimed at protecting the health, safety, and welfare of students and to verify the information reported by the schools concerning the enrollment and attendance of students, the credentials of teachers, background screening of teachers, and teachers' fingerprinting results, as required by rules of the State Board of Education and this section.

(c) The department may make followup site visits at any time to any school that has received a notice of noncompliance or a notice of proposed action within the previous 2 years, or for a cause that affects the health, safety, and welfare of a student.

(8) (a) The department shall visit each private school that notifies the department of the school's intent to participate in a state scholarship program under this chapter.

(b) The purpose of the site visit is to determine that the school meets the applicable state and local health, safety, and welfare codes and rules pursuant to this section.

(9) The Division of State Fire Marshal shall annually provide to the department a fire safety inspection report,



903516

prepared by the local fire departments or by entities with whom they contract to perform fire safety inspections of private schools, for each private school that participates in a state scholarship program under this chapter.

(10) If a private school that participates in a state scholarship program under this chapter receives more than \$250,000 in funds from the scholarships awarded under this chapter in a state fiscal year, the school must provide to the department a report of the balance sheet and statement of income expenditures in accordance with generally accepted accounting procedures from an independent certified public accountant who performs the agreed-upon procedures.

(11) ~~(7)~~ The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 to administer and enforce this section.

Section 17. Section 1002.43, Florida Statutes, is repealed.

Section 18. Subsection (5) of section 1002.55, Florida Statutes, is amended to read:

1002.55 School-year prekindergarten program delivered by private prekindergarten providers.—

(5) (a) Notwithstanding paragraph (3) (b), a private prekindergarten provider may not participate in the Voluntary Prekindergarten Education Program if the provider has child disciplinary policies that do not prohibit children from being subjected to discipline that is severe, humiliating, frightening, or associated with food, rest, toileting, spanking, or any other form of physical punishment as provided in s. 402.305(12).

(b) Notwithstanding any other provision of law, if a



903516

private prekindergarten provider has been cited for a class I violation, as defined by rule, the coalition may refuse to contract with the provider.

Section 19. Subsection (13) of section 1003.01, Florida Statutes, is amended to read:

1003.01 Definitions.—As used in this chapter, the term:

(13) “Regular school attendance” means the actual attendance of a student during the school day as defined by law and rules of the State Board of Education. Regular attendance within the intent of s. 1003.21 may be achieved by a student’s full-time attendance in one of the following options:

(a) A public school supported by public funds, including, but not limited to, the Florida School for the Deaf and the Blind, the Florida Virtual School, a developmental research school, and a charter school established pursuant to chapter 1002.~~†~~

~~(b) A parochial, religious, or denominational school;~~

(b)(e) A private school, as defined in s. 1002.01(2) and in compliance with s. 1002.42, including, but not limited to, a private parochial, religious, or denominational school; and a private school supported in whole or in part by tuition charges or by endowments or gifts. This option includes an eligible private school in which a student attends as a participant in a scholarship program, as defined in s. 1002.01(3).~~†~~

(c)(d) A home education program, as defined in s. 1002.01(1), which ~~that~~ meets the requirements of chapter 1002.~~†~~
~~or~~

~~(e) A private tutoring program that meets the requirements of chapter 1002.~~



903516

Section 20. Paragraph (f) of subsection (1) of section 1003.26, Florida Statutes, is amended to read:

1003.26 Enforcement of school attendance.—The Legislature finds that poor academic performance is associated with nonattendance and that school districts must take an active role in promoting and enforcing attendance as a means of improving student performance. It is the policy of the state that each district school superintendent be responsible for enforcing school attendance of all students subject to the compulsory school age in the school district and supporting enforcement of school attendance by local law enforcement agencies. The responsibility includes recommending policies and procedures to the district school board that require public schools to respond in a timely manner to every unexcused absence, and every absence for which the reason is unknown, of students enrolled in the schools. District school board policies shall require the parent of a student to justify each absence of the student, and that justification will be evaluated based on adopted district school board policies that define excused and unexcused absences. The policies must provide that public schools track excused and unexcused absences and contact the home in the case of an unexcused absence from school, or an absence from school for which the reason is unknown, to prevent the development of patterns of nonattendance. The Legislature finds that early intervention in school attendance is the most effective way of producing good attendance habits that will lead to improved student learning and achievement. Each public school shall implement the following steps to promote and enforce regular school attendance:



903516

(1) CONTACT, REFER, AND ENFORCE.—

(f)1. If the parent of a child who has been identified as exhibiting a pattern of nonattendance enrolls the child in a home education program pursuant to chapter 1002, the district school superintendent shall provide the parent a copy of s. 1002.41 and the accountability requirements of this paragraph. The district school superintendent shall also refer the parent to a home education review committee composed of the district contact for home education programs and at least two home educators selected by the parent from a district list of all home educators who have conducted a home education program for at least 3 years and who have indicated a willingness to serve on the committee. The home education review committee shall review the portfolio of the student, as defined by s. 1002.41, every 30 days during the district's regular school terms until the committee is satisfied that the home education program is in compliance with s. 1002.41(1)(b). The first portfolio review must occur within the first 30 calendar days of the establishment of the program. The provisions of subparagraph 2. do not apply once the committee determines the home education program is in compliance with s. 1002.41(1)(b).

2. If the parent fails to provide a portfolio to the committee, the committee shall notify the district school superintendent. The district school superintendent shall then terminate the home education program and require the parent to enroll the child in an attendance option that meets the definition of "regular school attendance" under s. 1003.01(13)(a) or (b) ~~s. 1003.01(13)(a), (b), (c), or (e)~~, within 3 days. Upon termination of a home education program



903516

pursuant to this subparagraph, the parent shall not be eligible to reenroll the child in a home education program for 180 calendar days. Failure of a parent to enroll the child in an attendance option as required by this subparagraph after termination of the home education program pursuant to this subparagraph shall constitute noncompliance with the compulsory attendance requirements of s. 1003.21 and may result in criminal prosecution under s. 1003.27(2). Nothing contained herein shall restrict the ability of the district school superintendent, or the ability of his or her designee, to review the portfolio pursuant to s. 1002.41(1)(b).

Section 21. Paragraph (d) of subsection (2) of section 1003.41, Florida Statutes, is amended and paragraph (f) is added to that subsection, to read:

1003.41 Next Generation Sunshine State Standards.—

(2) Next Generation Sunshine State Standards must meet the following requirements:

(d) Social Studies standards must establish specific curricular content for, at a minimum, geography, United States and world history, government, civics, humanities, and economics, including financial literacy. Financial literacy includes the knowledge, understanding, skills, behaviors, attitudes, and values that will enable a student to make responsible and effective financial decisions on a daily basis. Financial literacy instruction shall be an integral part of instruction throughout the entire economics course and include information regarding earning income; buying goods and services; saving and financial investing; taxes; the use of credit and credit cards; budgeting and debt management, including student



903516

loans and secured loans; banking and financial services; planning for one's financial future, including higher education and career planning; credit reports and scores; and fraud and identity theft prevention. The requirements for financial literacy specified under this paragraph do not apply to students entering grade 9 in the 2018-2019 school year and thereafter.

(f) Effective for students entering grade 9 in the 2018-2019 school year and thereafter, financial literacy standards must establish specific curricular content for, at a minimum, personal financial literacy and money management. Financial literacy includes instruction in the areas specified in s. 1003.4282(3) (h) .

Section 22. Paragraphs (d) and (g) of subsection (3) of section 1003.4282, Florida Statutes, are amended, and paragraph (h) is added to that subsection, to read:

1003.4282 Requirements for a standard high school diploma.—

(3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT REQUIREMENTS.—

(d) *Three credits in social studies.*—A student must earn one credit in United States History; one credit in World History; one-half credit in economics, which must include financial literacy; and one-half credit in United States Government. The United States History EOC assessment constitutes 30 percent of the student's final course grade. However, for a student entering grade 9 in the 2018-2019 school year or thereafter, financial literacy is not a required component of the one-half credit in economics.

(g) ~~Eight~~ *Credits in Electives.*—School districts must develop and offer coordinated electives so that a student may



903516

develop knowledge and skills in his or her area of interest, such as electives with a STEM or liberal arts focus. Such electives must include opportunities for students to earn college credit, including industry-certified career education programs or series of career-themed courses that result in industry certification or articulate into the award of college credit, or career education courses for which there is a statewide or local articulation agreement and which lead to college credit. A student entering grade 9 before the 2018-2019 school year must earn eight credits in electives. A student entering grade 9 in the 2018-2019 school year or thereafter must earn seven and one-half credits in electives.

(h) One-half credit in personal financial literacy.-
Beginning with students entering grade 9 in the 2018-2019 school year, each student shall earn one-half credit in personal financial literacy and money management. This instruction must include discussion of or instruction in the following:

1. Types of bank accounts offered, opening and managing a bank account, and assessing the quality of a depository institution's services.

2. Balancing a checkbook.

3. Basic principles of money management, such as spending, credit, credit scores, and managing debt, including retail and credit card debt.

4. Completing a loan application.

5. Receiving an inheritance and related implications.

6. Basic principles of personal insurance policies.

7. Computing federal income taxes.

8. Local tax assessments.



903516

9. Computing interest rates by various mechanisms.

10. Simple contracts.

11. Contesting an incorrect billing statement.

12. Types of savings and investments.

13. State and federal laws concerning finance.

Section 23. Section 1003.457, Florida Statutes, is created to read:

1003.457 Instruction in cardiopulmonary resuscitation.—

(1) Each school district shall provide instruction in cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator. Students shall study and practice the psychomotor skills associated with performing CPR at least once before graduating from high school. The instruction shall be a part of the physical education curriculum or another required curriculum selected by the school district.

(2) The instruction shall be based on an instructional program established by:

(a) The American Heart Association;

(b) The American Red Cross; or

(c) Another nationally recognized program that uses the most current evidence-based emergency cardiovascular care guidelines.

(3) A student with a disability, as defined in s. 1007.02, is exempt from the requirements of this section.

Section 24. Subsection (3) of section 1003.453, Florida Statutes, is amended to read:

1003.453 School wellness and physical education policies; nutrition guidelines.—

(3) School districts are encouraged to provide basic



903516

training in first aid, ~~including cardiopulmonary resuscitation,~~
for all students, beginning in grade 6 and every 2 years
thereafter. Private and public partnerships for providing
training or necessary funding are encouraged.

Section 25. Section 1006.061, Florida Statutes, is amended
to read:

1006.061 Child abuse, abandonment, and neglect policy.—Each
district school board, charter school, and private school that
accepts scholarship students under s. 1002.385, s. 1002.39, or
s. 1002.395, or another state scholarship program under chapter
1002 shall:

(1) Post in a prominent place in each school a notice that,
pursuant to chapter 39, all employees and agents of the district
school board, charter school, or private school have an
affirmative duty to report all actual or suspected cases of
child abuse, abandonment, or neglect; have immunity from
liability if they report such cases in good faith; and have a
duty to comply with child protective investigations and all
other provisions of law relating to child abuse, abandonment,
and neglect. The notice shall also include the statewide toll-
free telephone number of the central abuse hotline.

(2) Post in a prominent place at each school site and on
each school's Internet website, if available, the policies and
procedures for reporting alleged misconduct by instructional
personnel or school administrators which affects the health,
safety, or welfare of a student; the contact person to whom the
report is made; and the penalties imposed on instructional
personnel or school administrators who fail to report suspected
or actual child abuse or alleged misconduct by other



903516

instructional personnel or school administrators.

(3) Require the principal of the charter school or private school, or the district school superintendent, or the superintendent's designee, at the request of the Department of Children and Families, to act as a liaison to the Department of Children and Families and the child protection team, as defined in s. 39.01, when in a case of suspected child abuse, abandonment, or neglect or an unlawful sexual offense involving a child the case is referred to such a team; except that this does not relieve or restrict the Department of Children and Families from discharging its duty and responsibility under the law to investigate and report every suspected or actual case of child abuse, abandonment, or neglect or unlawful sexual offense involving a child.

(4) (a) Post in a prominent place in a clearly visible location and public area of the school which is readily accessible to and widely used by students a sign in English and Spanish that contains:

1. The statewide toll-free telephone number of the central abuse hotline as provided in chapter 39;

2. Instructions to call 911 for emergencies; and

3. Directions for accessing the Department of Children and Families Internet website for more information on reporting abuse, neglect, and exploitation.

(b) The information in paragraph (a) must be put on at least one poster in each school, on a sheet that measures at least 11 inches by 17 inches, produced in large print, and placed at student eye level for easy viewing.



903516

The Department of Education shall develop, and publish on the department's Internet website, sample notices suitable for posting in accordance with subsections (1), (2), and (4).

Section 26. Subsections (4) and (6) of section 1006.07, Florida Statutes, are amended, and subsection (7) is added to that section, to read:

1006.07 District school board duties relating to student discipline and school safety.—The district school board shall provide for the proper accounting for all students, for the attendance and control of students at school, and for proper attention to health, safety, and other matters relating to the welfare of students, including:

(4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

(a) Formulate and prescribe policies and procedures for emergency drills and for actual emergencies, including, but not limited to, fires, natural disasters, hostage and active shooter situations, and bomb threats, for all the public schools of the district which comprise grades K-12. District school board policies shall include commonly used alarm system responses for specific types of emergencies and verification by each school that drills have been provided as required by law and fire protection codes. The emergency response agency that is responsible for notifying the school district for each type of emergency must be listed in the district's emergency response policy.

(b) Establish model emergency management and emergency preparedness procedures, including emergency notification procedures pursuant to paragraph (a), for the following life-threatening emergencies:



903516

1. Weapon-use, and hostage, and active shooter situations.
The active shooter situation training for each school must be
conducted by the law enforcement agency or agencies that are
designated as first responders to the school's campus.

2. Hazardous materials or toxic chemical spills.

3. Weather emergencies, including hurricanes, tornadoes,
and severe storms.

4. Exposure as a result of a manmade emergency.

(6) SAFETY AND SECURITY BEST PRACTICES.—Each school
district shall: Use the Safety and Security Best Practices
developed by the Office of Program Policy Analysis and
Government Accountability to

(a) Conduct security risk assessments at each public school
and conduct a self-assessment of the school districts' current
safety and security practices using a format prescribed by the
department. Based on these ~~self-assessment~~ findings, the
district school superintendent shall provide recommendations to
the district school board which identify strategies and
activities that the district school board should implement in
order to improve school safety and security. Annually each
district school board must receive such findings and the
superintendent's recommendations ~~the self-assessment results~~ at
a publicly noticed district school board meeting to provide the
public an opportunity to hear the district school board members
discuss and take action on the ~~report~~ findings and
recommendations. Each district school superintendent shall
report such findings ~~the self-assessment results~~ and school
board action to the commissioner within 30 days after the
district school board meeting.



903516

(b) Using a format prescribed by the department, develop a plan that includes having a secure, single point of entry onto school grounds.

(7) SAFETY IN CONSTRUCTION PLANNING.—A district school board or private school principal or governing board must allow the law enforcement agency or agencies that are designated as first responders to the school's or district's campus to tour such campus once every 3 years. Any changes related to school safety and emergency issues recommended by a law enforcement agency based on a campus tour must be documented by the district school board or private school principal or governing board.

Section 27. Subsection (1) and paragraph (b) of subsection (2) section 1006.12, Florida Statutes, are amended to read:

1006.12 School resource officers and school safety officers.—

(1) District school boards shall ~~may~~ establish school resource officer programs, through a cooperative agreement with law enforcement agencies or in accordance with subsection (2).

(a) School resource officers shall be certified law enforcement officers, as defined in s. 943.10(1), who are employed by a law enforcement agency as defined in s. 943.10(4). The powers and duties of a law enforcement officer shall continue throughout the employee's tenure as a school resource officer.

(b) School resource officers shall abide by district school board policies and shall consult with and coordinate activities through the school principal, but shall be responsible to the law enforcement agency in all matters relating to employment, subject to agreements between a district school board and a law



903516

enforcement agency. Activities conducted by the school resource officer which are part of the regular instructional program of the school shall be under the direction of the school principal.

(2)

(b) A district school board shall ~~may~~ commission one or more school safety officers for the protection and safety of school personnel, property, and students at each district school facility within the school district. The district school superintendent may recommend and the district school board may appoint one or more school safety officers.

Section 28. Section 1007.273, Florida Statutes, is amended to read:

1007.273 Structured high school acceleration programs
~~Collegiate high school program.~~

~~(1)~~ Each Florida College System institution shall work with each district school board in its designated service area to establish one or more structured programs, including, but not limited to, collegiate high school programs. As used in this section, the term "structured program" means a structured high school acceleration program.

(1)(2) PURPOSE.—At a minimum, structured ~~collegiate high school~~ programs must include an option for public school students in grade 11 or grade 12 participating in the structured program, for at least 1 full school year, to earn CAPE industry certifications pursuant to s. 1008.44, and to successfully complete at least 30 credit hours through the dual enrollment program under s. 1007.271. The structured program must prioritize dual enrollment courses that are applicable toward general education core courses or common prerequisite course



903516

requirements under s. 1007.25 over dual enrollment courses applicable as electives toward at least the first year of college for an associate degree or baccalaureate degree while enrolled in the structured program. A district school board may not limit the number of eligible public school students who may enroll in such structured programs.

(2)-(3) REQUIRED STRUCTURED PROGRAM CONTRACTS.-

(a) Each district school board and its local Florida College System institution shall execute a contract to establish one or more structured ~~collegiate high school~~ programs at a mutually agreed upon location or locations. ~~Beginning with the 2015-2016 school year,~~ If the local Florida College System institution does not establish a structured program with a district school board in its designated service area, another Florida College System institution may execute a contract with that district school board to establish the structured program. The contract must be executed by January 1 of each school year for implementation of the structured program during the next school year. By August 1, 2018, a contract entered into before January 1, 2018, for the 2018-2019 school year must be modified to include the provisions of paragraph (b).

(b) The contract must:

1.-(a) Identify the grade levels to be included in the structured ~~collegiate high school~~ program; ~~which must, at a minimum, include grade 12.~~

2.-(b) Describe the structured ~~collegiate high school~~ program, including a list of the meta-major academic pathways approved pursuant to s. 1008.30(4), which are available to participating students through the partner Florida College



903516

System institution or other eligible partner postsecondary institutions; the delineation of courses that must, at a minimum, include general education core courses and common prerequisite course requirements pursuant to s. 1007.25; and industry certifications offered, including online course availability; the high school and college credits earned for each postsecondary course completed and industry certification earned; student eligibility criteria; and the enrollment process and relevant deadlines;

3.~~(e)~~ Describe the methods, medium, and process by which students and their parents are annually informed about the availability of the structured ~~collegiate high school~~ program, the return on investment associated with participation in the structured program, and the information described in subparagraphs 1. and 2.; ~~paragraphs (a) and (b).~~

4.~~(d)~~ Identify the delivery methods for instruction and the instructors for all courses;

5.~~(e)~~ Identify student advising services and progress monitoring mechanisms;

6.~~(f)~~ Establish a program review and reporting mechanism regarding student performance outcomes; and

7.~~(g)~~ Describe the terms of funding arrangements to implement the structured ~~collegiate high school~~ program pursuant to paragraph (5) (a).

(3) STUDENT PERFORMANCE CONTRACT AND NOTIFICATION.-

(a)~~(4)~~ Each student participating in a structured ~~collegiate high school~~ program must enter into a student performance contract which must be signed by the student, the parent, and a representative of the school district and the



903516

applicable Florida College System institution, state university, or other institution participating pursuant to subsection (4) ~~(5)~~. The performance contract must, at a minimum, specify include the schedule of courses, by semester, and industry certifications to be taken by the student, if any; student attendance requirements; and course grade requirements; and the applicability of such courses to an associate degree or a baccalaureate degree.

(b) By September 1 of each school year, each district school board must notify each student enrolled in grades 9, 10, 11, and 12 in a public school within the school district about the structured program, including, but not limited to:

1. The method for earning college credit through participation in the structured program. The notification must include website links to the dual enrollment course equivalency list approved by the State Board of Education; the common degree program prerequisite requirements published by the Articulation Coordinating Committee pursuant to s. 1007.01(3)(f); the industry certification articulation agreements adopted by the State Board of Education in rule; and the approved meta-major academic pathways of the partner Florida College System institution and other eligible partner postsecondary institutions participating pursuant to subsection (4); and

2. The estimated cost savings to students and their families resulting from students successfully completing 30 credit hours applicable toward general education core courses or common prerequisite course requirements before graduating from high school versus the cost of earning such credit hours after graduating from high school.



903516

2274 (4) ~~(5)~~ AUTHORIZED STRUCTURED PROGRAM CONTRACTS.—In addition
2275 to executing a contract with the local Florida College System
2276 institution under this section, a district school board may
2277 execute a contract to establish a structured ~~collegiate high~~
2278 ~~school~~ program with a state university or an institution that is
2279 eligible to participate in the William L. Boyd, IV, Florida
2280 Resident Access Grant Program, that is a nonprofit independent
2281 college or university located and chartered in this state, and
2282 that is accredited by the Commission on Colleges of the Southern
2283 Association of Colleges and Schools to grant baccalaureate
2284 degrees. Such university or institution must meet the
2285 requirements specified under subsections (2) ~~(3)~~ and (3). A
2286 charter school may execute a contract directly with the local
2287 Florida College System institution or another institution as
2288 authorized under this section to establish a structured program
2289 at a mutually agreed upon location ~~(4)~~.

2290 (5) FUNDING.—

2291 (a) ~~(6)~~ The structured ~~collegiate high school~~ program shall
2292 be funded pursuant to ss. 1007.271 and 1011.62. The State Board
2293 of Education shall enforce compliance with this section by
2294 withholding the transfer of funds for the school districts ~~and~~
2295 ~~the Florida College System institutions~~ in accordance with s.
2296 1008.32. Annually, by December 31, the State Board of Education
2297 shall enforce compliance with this section by withholding the
2298 transfer of funds for the Florida College System institutions in
2299 accordance with s. 1008.32

2300 (b) A student who enrolls in the structured program and
2301 successfully completes at least 30 college credit hours during a
2302 school year through the dual enrollment program under s.



903516

1007.271 generates a 0.5 full-time equivalent (FTE) bonus. A student who enrolls in the structured program and successfully completes an additional 30 college credit hours during a school year, resulting in at least 60 college credit hours through the dual enrollment program under s. 1007.271 applicable toward fulfilling the requirements for an associate in arts degree or an associate in science degree or a baccalaureate degree pursuant to the student performance contract under subsection (3), before graduating from high school, generates an additional 0.5 FTE bonus. Each district school board that is a contractual partner with a Florida College System institution or other eligible postsecondary institution shall report to the commissioner the total FTE bonus for each structured program for the students from that school district. The total FTE bonus shall be added to each school district's total weighted FTE for funding in the subsequent fiscal year.

(c) For any industry certification a student attains under this section, the FTE bonus shall be calculated and awarded in accordance with s. 1011.62(1)(o).

(6) REPORTING REQUIREMENTS.—

(a) By September 1 of each school year, each district school superintendent shall report to the commissioner, at a minimum, the following information on each structured program administered during the prior school year:

1. The number of students in public schools within the school district who enrolled in the structured program, and the partnering postsecondary institutions pursuant to subsections (2) and (4);

2. The total and average number of dual enrollment courses



903516

completed, high school and college credits earned, standard high school diplomas and associate and baccalaureate degrees awarded, and the number of industry certifications attained, if any, by the students who enrolled in the structured program;

3. The projected student enrollment in the structured program during the next school year; and

4. Any barriers to executing contracts to establish one or more structured programs.

(b) By November 30 of each school year, the commissioner must report to the Governor, the President of the Senate, and the Speaker of the House of Representatives the status of structured programs, including, at a minimum, a summary of student enrollment and completion information pursuant to this subsection; barriers, if any, to establishing such programs; and recommendations for expanding access to such programs statewide.

Section 29. Paragraph (c) of subsection (3) and subsection (4) of section 1008.33, Florida Statutes, are amended to read:

1008.33 Authority to enforce public school improvement.—

(3)

(c) The state board shall adopt by rule a differentiated matrix of intervention and support strategies for assisting traditional public schools identified under this section and rules for implementing s. 1002.33(9)(n), relating to charter schools.

1. The intervention and support strategies must address efforts to improve student performance through one or more of the following strategies: ~~and may include~~

a. Improvement planning;

b. Leadership quality improvement;



903516

2361 c. Educator quality improvement;
2362 d. Professional development;
2363 e. Curriculum review, pacing, and alignment across grade
2364 levels to improve background knowledge in social studies,
2365 science, and the arts; and
2366 f. The use of continuous improvement and monitoring plans
2367 and processes.
2368 2. ~~In addition,~~ The state board may prescribe reporting
2369 requirements to review and monitor the progress of the schools.
2370 The rule must define the intervention and support strategies for
2371 school improvement for schools earning a grade of "D" or "F" and
2372 the roles for the district and department.
2373 (4) (a) The state board shall apply intensive intervention
2374 and support strategies tailored to the needs of schools earning
2375 two consecutive grades of "D" or a grade of "F." In the first
2376 full school year after a school initially earns two consecutive
2377 grades of "D" or a grade of "F," the school district must
2378 immediately implement intervention and support strategies
2379 prescribed in rule under paragraph (3) (c) and, by September 1,
2380 provide the department with the memorandum of understanding
2381 negotiated pursuant to s. 1001.42(21) and, by October 1, a
2382 district-managed turnaround plan for approval by the state
2383 board. The district-managed turnaround plan may include a
2384 proposal for the district to implement an extended school day, a
2385 summer program, or a combination of an extended school day and
2386 summer program. Upon approval by the state board, the school
2387 district must implement the plan for the remainder of the school
2388 year and continue the plan for 1 full school year. The state
2389 board may allow a school an additional year of implementation



903516

before the school must implement a turnaround option required under paragraph (b) if it determines that the school is likely to improve to a grade of "C" or higher after the first full school year of implementation.

(b) Unless an additional year of implementation is provided pursuant to paragraph (a), a school that has completed 2 school years of a district-managed turnaround plan required under paragraph (a) and has not improved its school grade to a "C" or higher, pursuant to s. 1008.34, ~~earns three consecutive grades below a "C"~~ must implement one of the following options:

1. Reassign students to another school and monitor the progress of each reassigned student.~~.~~

2. Close the school and reopen the school as one or more charter schools, each with a governing board that has a demonstrated record of effectiveness. Such charter schools are eligible for funding from the hope supplemental services allocation established by s. 1011.62(16).~~.~~~~or~~

3. Contract with an outside entity that has a demonstrated record of effectiveness to operate the school. An outside entity may include:

a. A district-managed charter school in which all instructional personnel are not employees of the school district, but are employees of an independent governing board composed of members who did not participate in the review or approval of the charter. A district-managed charter school is eligible for funding from the hope supplemental services allocation established by s. 1011.62(16); or

b. A hope operator that submits to a school district a notice of intent of a performance-based agreement pursuant to s.



903516

1002.333. A school of hope established pursuant to this sub-
subparagraph is eligible for funding from the hope supplemental
services allocation for up to 5 years, beginning in the school
year in which the school of hope is established, if the school
of hope:

(I) Is established at the district-owned facilities of the
persistently low-performing school;

(II) Gives priority enrollment to students who are enrolled
in, or are eligible to attend and are living in the attendance
area of, the persistently low-performing school that the school
of hope operates, consistent with the enrollment lottery
exemption provided under s. 1002.333(5)(c); and

(III) Meets the requirements of its performance-based
agreement pursuant to s. 1002.333.

4. Implement a franchise model school in which a highly
effective principal, pursuant to s. 1012.34, leads the
persistently low-performing school in addition to the
principal's currently assigned school. The franchise model
school principal may allocate resources and personnel between
the schools he or she leads. The persistently low-performing
school is eligible for funding from the hope supplemental
services allocation established under s. 1011.62(16).

(c) Implementation of the turnaround option is no longer
required if the school improves to a grade of "C" or higher.

(d) If a school ~~earning two consecutive grades of "D" or a
grade of "F"~~ does not improve to a grade of "C" or higher after
2 full school years of implementing the turnaround option
selected by the school district under paragraph (b), the school
district must implement another turnaround option.



903516

Implementation of the turnaround option must begin the school year following the implementation period of the existing turnaround option, unless the state board determines that the school is likely to improve to a grade of "C" or higher if additional time is provided to implement the existing turnaround option.

Section 30. Present subsections (16) and (17) of section 1011.62, Florida Statutes, are redesignated as subsections (19) and (20), respectively, new subsections (16) and (17) and subsection (18) are added to that section, and paragraph (a) of subsection (4) and subsection (14) of that section are amended, to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(a) *Estimated taxable value calculations.*—

1.a. Not later than 2 working days before July 19, the Department of Revenue shall certify to the Commissioner of Education its most recent estimate of the taxable value for



903516

school purposes in each school district and the total for all school districts in the state for the current calendar year based on the latest available data obtained from the local property appraisers. The value certified shall be the taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraphs (c) and (d), or an assessment roll change required by final judicial decisions as specified in paragraph (19) (b) ~~(16) (b)~~. Not later than July 19, the Commissioner of Education shall compute a millage rate, rounded to the next highest one one-thousandth of a mill, which, when applied to 96 percent of the estimated state total taxable value for school purposes, would generate the prescribed aggregate required local effort for that year for all districts. The Commissioner of Education shall certify to each district school board the millage rate, computed as prescribed in this subparagraph, as the minimum millage rate necessary to provide the district required local effort for that year.

b. The General Appropriations Act shall direct the computation of the statewide adjusted aggregate amount for required local effort for all school districts collectively from ad valorem taxes to ensure that no school district's revenue from required local effort millage will produce more than 90 percent of the district's total Florida Education Finance Program calculation as calculated and adopted by the Legislature, and the adjustment of the required local effort millage rate of each district that produces more than 90 percent of its total Florida Education Finance Program entitlement to a level that will produce only 90 percent of its total Florida



903516

Education Finance Program entitlement in the July calculation.

2. On the same date as the certification in sub-subparagraph 1.a., the Department of Revenue shall certify to the Commissioner of Education for each district:

a. Each year for which the property appraiser has certified the taxable value pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a.

b. For each year identified in sub-subparagraph a., the taxable value certified by the appraiser pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a. This is the certification that reflects all final administrative actions of the value adjustment board.

(14) QUALITY ASSURANCE GUARANTEE.—The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to each school district. The guarantee shall be calculated from prior year base funding per unweighted FTE student which shall include the adjusted FTE dollars as provided in subsection (19) ~~(16)~~, quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection (19) ~~(16)~~ and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts



903516

which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

(16) HOPE SUPPLEMENTAL SERVICES ALLOCATION.-The hope supplemental services allocation is created to provide district-managed turnaround schools, as required under s. 1008.33(4)(a), charter schools authorized under s. 1008.33(4)(b)2., district-managed charter schools authorized under s. 1008.33(4)(b)3.a., schools of hope authorized under s. 1008.33(4)(b)3.b., and franchise model schools as authorized under s. 1008.33(4)(b)4., with funds to offer services designed to improve the overall academic and community welfare of the schools' students and their families.

(a) Services funded by the allocation may include, but are not limited to, tutorial and after-school programs, student counseling, nutrition education, and parental counseling. In addition, services may also include models that develop a culture that encourages students to complete high school and to attend college or career training, set high academic expectations, inspire character development, and include an extended school day and school year.

(b) Prior to distribution of the allocation, a school district, for a district turnaround school and persistently low-performing schools that use a franchise model; a hope operator, for a school of hope; or the charter school governing board for



903516

a charter school, as applicable, shall develop and submit a plan for implementation to its respective governing body for approval no later than August 1 of the fiscal year.

(c) At a minimum, the plans required under paragraph (b) must:

1. Establish comprehensive support services that develop family and community partnerships;

2. Establish clearly defined and measurable high academic and character standards;

3. Increase parental involvement and engagement in the child's education;

4. Describe how instructional personnel will be identified, recruited, retained, and rewarded;

5. Provide professional development that focuses on academic rigor, direct instruction, and creating high academic and character standards; and

6. Provide focused instruction to improve student academic proficiency, which may include additional instruction time beyond the normal school day or school year.

(d) Each school district and hope operator shall submit approved plans to the commissioner by September 1 of each fiscal year.

(e) For the 2018-2019 fiscal year, a school that is selected to receive funding in the 2017-2018 fiscal year pursuant to s. 1002.333(10)(c) shall receive \$2,000 per FTE. A district-managed turnaround school required under s. 1008.33(4)(a), charter school authorized under s. 1008.33(4)(b)2., district-managed charter school authorized under s. 1008.33(4)(b)3.a., school of hope authorized under s.



903516

1008.33(4)(b)3.b., and franchise model school authorized under
s. 1008.33(4)(b)4. are eligible for the remaining funds based on
the school's unweighted FTE, up to \$2,000 per FTE or as provided
in the General Appropriations Act.

(f) For the 2019-2020 fiscal year and thereafter, each
school district's allocation shall be based on the unweighted
FTE student enrollment at the eligible schools and a per-FTE
funding amount of up to \$2,000 per FTE or as provided in the
General Appropriations Act. If the calculated funds for
unweighted FTE student enrollment at the eligible schools exceed
the per-FTE funds appropriated, the allocation of funds to each
school district must be prorated based on each school district's
share of the total unweighted FTE student enrollment for the
eligible schools.

(17) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental health
assistance allocation is created to provide supplemental funding
to assist school districts in establishing or expanding
comprehensive school-based mental health programs that increase
awareness of mental health issues among children and school-age
youth; train educators and other school staff in detecting and
responding to mental health issues; and connect children, youth,
and families who may experience behavioral health issues with
appropriate services. These funds may be allocated annually in
the General Appropriations Act to each eligible school district
and developmental research school based on each entity's
proportionate share of Florida Education Finance Program base
funding. The district funding allocation must include a minimum
amount as specified in the General Appropriations Act. Upon
submission and approval of a plan that includes the elements



903516

specified in paragraph (b), charter schools are also entitled to a proportionate share of district funding for this program. The allocated funds may not supplant funds that are provided for this purpose from other operating funds and may not be used to increase salaries or provide bonuses.

(a) Prior to the distribution of the allocation:

1. The district must annually develop and submit a detailed plan outlining the local program and planned expenditures to the district school board for approval.

2. A charter school must annually develop and submit a detailed plan outlining the local program and planned expenditures of the funds in the plan to its governing body for approval. After the plan is approved by the governing body, it must be provided to its school district for submission to the commissioner.

(b) The plans required under paragraph (a) must include, at a minimum, all of the following elements:

1. A collaborative effort or partnership between the school district and at least one local community program or agency involved in mental health to provide or to improve prevention, diagnosis, and treatment services for students;

2. Programs to assist students in dealing with bullying, trauma, and violence;

3. Strategies or programs to reduce the likelihood of at-risk students developing social, emotional, or behavioral health problems or substance use disorders;

4. Strategies to improve the early identification of social, emotional, or behavioral problems or substance use disorders and to improve the provision of early intervention



903516

services;

5. Strategies to enhance the availability of school-based crisis intervention services and appropriate referrals for students in need of mental health services; and

6. Training opportunities for school personnel in the techniques and supports needed to identify students who have trauma histories and who have or are at risk of having a mental illness, and in the use of referral mechanisms that effectively link such students to appropriate treatment and intervention services in the school and in the community.

(c) The districts shall submit approved plans to the commissioner by August 1 of each fiscal year.

(d) Beginning September 30, 2019, and by each September 30 thereafter, each entity that receives an allocation under this subsection shall submit to the commissioner, in a format prescribed by the department, a final report on its program outcomes and its expenditures for each element of the program.

(18) FUNDING COMPRESSION ALLOCATION.—The Legislature may provide an annual funding compression allocation in the General Appropriations Act. The allocation is created to provide additional funding to school districts and developmental research schools whose total funds per FTE in the prior year were less than the statewide average. Using the most recent prior year FEFP calculation for each eligible school district, the total funds per FTE shall be subtracted from the state average funds per FTE, not including any adjustments made pursuant to paragraph (19) (b). The resulting funds per FTE difference, or a portion thereof, as designated in the General Appropriations Act, shall then be multiplied by the school



903516

district's total unweighted FTE to provide the allocation. If
the calculated funds are greater than the amount included in the
General Appropriations Act, they must be prorated to the
appropriation amount based on each participating school
district's share.

Section 31. Subsection (5) of section 1011.69, Florida
Statutes, is amended to read:

1011.69 Equity in School-Level Funding Act.—

(5) After providing Title I, Part A, Basic funds to schools
above the 75 percent poverty threshold, which may include high
schools above the 50 percent threshold as allowed by federal
law, school districts shall provide any remaining Title I, Part
A, Basic funds directly to all eligible schools as provided in
this subsection. For purposes of this subsection, an eligible
school is a school that is eligible to receive Title I funds,
including a charter school. The threshold for identifying
eligible schools may not exceed the threshold established by a
school district for the 2016-2017 school year or the statewide
percentage of economically disadvantaged students, as determined
annually.

(a) Prior to the allocation of Title I funds to eligible
schools, a school district may withhold funds only as follows:

1. One percent for parent involvement, in addition to the
one percent the district must reserve under federal law for
allocations to eligible schools for parent involvement;

2. A necessary and reasonable amount for administration;
~~7~~

~~3. which includes~~ The district's approved indirect cost
rate, ~~not to exceed a total of 8 percent; and~~

~~4.3.~~ A reasonable and necessary amount to provide:



903516

2709 a. Homeless programs;
2710 b. Delinquent and neglected programs;
2711 c. Prekindergarten programs and activities;
2712 d. Private school equitable services; and
2713 e. Transportation for foster care children to their school
2714 of origin or choice programs; and-
2715 5. A necessary and reasonable amount for eligible schools
2716 to provide:
2717 a. Extended learning opportunities, such as summer school,
2718 before-school and after-school programs, and additional class
2719 periods of instruction during the school day; and
2720 b. Supplemental academic and enrichment services, staff
2721 development, and planning and curriculum, as well as wrap-around
2722 services.
2723 (b) All remaining Title I funds shall be distributed to all
2724 eligible schools in accordance with federal law and regulation.
2725 To maximize the efficient use of resources, school districts may
2726 allow eligible schools, not including charter schools, to ~~An~~
2727 ~~eligible school may~~ use funds under this subsection for
2728 ~~district-level to participate in discretionary~~ educational
2729 services provided by the school district.
2730 Section 32. Subsection (5) of section 1011.71, Florida
2731 Statutes, is amended to read:
2732 1011.71 District school tax.—
2733 (5) ~~Effective July 1, 2008,~~ A school district may expend,
2734 subject to ~~the provisions of~~ s. 200.065, up to \$150 ~~\$100~~ per
2735 unweighted full-time equivalent student from the revenue
2736 generated by the millage levy authorized by subsection (2) to
2737 fund, in addition to expenditures authorized in paragraphs



903516

(2)(a)-(j), expenses for the following:

(a) The purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.

(b) Payment of the cost of premiums, as defined in s. 627.403, for property and casualty insurance necessary to insure school district educational and ancillary plants. As used in this paragraph, casualty insurance has the same meaning as in s. 624.605(1)(d), (f), (g), (h), and (m). Operating revenues that are made available through the payment of property and casualty insurance premiums from revenues generated under this subsection may be expended only for nonrecurring operational expenditures of the school district.

Section 33. Section 1012.315, Florida Statutes, is amended to read:

1012.315 Disqualification from employment.—A person is ineligible for educator certification, and instructional personnel and school administrators, as defined in s. 1012.01, are ineligible for employment in any position that requires direct contact with students in a district school system, charter school, or private school that accepts scholarship students under s. 1002.385, s. 1002.39, ~~or~~ s. 1002.395, or another state scholarship program under chapter 1002, if the person, instructional personnel, or school administrator has been convicted of:

(1) Any felony offense prohibited under any of the following statutes:



903516

(a) Section 393.135, relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.

(b) Section 394.4593, relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.

(c) Section 415.111, relating to adult abuse, neglect, or exploitation of aged persons or disabled adults.

(d) Section 782.04, relating to murder.

(e) Section 782.07, relating to manslaughter, aggravated manslaughter of an elderly person or disabled adult, aggravated manslaughter of a child, or aggravated manslaughter of an officer, a firefighter, an emergency medical technician, or a paramedic.

(f) Section 784.021, relating to aggravated assault.

(g) Section 784.045, relating to aggravated battery.

(h) Section 784.075, relating to battery on a detention or commitment facility staff member or a juvenile probation officer.

(i) Section 787.01, relating to kidnapping.

(j) Section 787.02, relating to false imprisonment.

(k) Section 787.025, relating to luring or enticing a child.

(l) Section 787.04(2), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending custody proceedings.

(m) Section 787.04(3), relating to leading, taking, enticing, or removing a minor beyond the state limits, or



903516

concealing the location of a minor, with criminal intent pending dependency proceedings or proceedings concerning alleged abuse or neglect of a minor.

(n) Section 790.115(1), relating to exhibiting firearms or weapons at a school-sponsored event, on school property, or within 1,000 feet of a school.

(o) Section 790.115(2)(b), relating to possessing an electric weapon or device, destructive device, or other weapon at a school-sponsored event or on school property.

(p) Section 794.011, relating to sexual battery.

(q) Former s. 794.041, relating to sexual activity with or solicitation of a child by a person in familial or custodial authority.

(r) Section 794.05, relating to unlawful sexual activity with certain minors.

(s) Section 794.08, relating to female genital mutilation.

(t) Chapter 796, relating to prostitution.

(u) Chapter 800, relating to lewdness and indecent exposure.

(v) Section 806.01, relating to arson.

(w) Section 810.14, relating to voyeurism.

(x) Section 810.145, relating to video voyeurism.

(y) Section 812.014(6), relating to coordinating the commission of theft in excess of \$3,000.

(z) Section 812.0145, relating to theft from persons 65 years of age or older.

(aa) Section 812.019, relating to dealing in stolen property.

(bb) Section 812.13, relating to robbery.



903516

(cc) Section 812.131, relating to robbery by sudden
snatching.

(dd) Section 812.133, relating to carjacking.

(ee) Section 812.135, relating to home-invasion robbery.

(ff) Section 817.563, relating to fraudulent sale of
controlled substances.

(gg) Section 825.102, relating to abuse, aggravated abuse,
or neglect of an elderly person or disabled adult.

(hh) Section 825.103, relating to exploitation of an
elderly person or disabled adult.

(ii) Section 825.1025, relating to lewd or lascivious
offenses committed upon or in the presence of an elderly person
or disabled person.

(jj) Section 826.04, relating to incest.

(kk) Section 827.03, relating to child abuse, aggravated
child abuse, or neglect of a child.

(ll) Section 827.04, relating to contributing to the
delinquency or dependency of a child.

(mm) Section 827.071, relating to sexual performance by a
child.

(nn) Section 843.01, relating to resisting arrest with
violence.

(oo) Chapter 847, relating to obscenity.

(pp) Section 874.05, relating to causing, encouraging,
soliciting, or recruiting another to join a criminal street
gang.

(qq) Chapter 893, relating to drug abuse prevention and
control, if the offense was a felony of the second degree or
greater severity.



903516

(rr) Section 916.1075, relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.

(ss) Section 944.47, relating to introduction, removal, or possession of contraband at a correctional facility.

(tt) Section 985.701, relating to sexual misconduct in juvenile justice programs.

(uu) Section 985.711, relating to introduction, removal, or possession of contraband at a juvenile detention facility or commitment program.

(2) Any misdemeanor offense prohibited under any of the following statutes:

(a) Section 784.03, relating to battery, if the victim of the offense was a minor.

(b) Section 787.025, relating to luring or enticing a child.

(3) Any criminal act committed in another state or under federal law which, if committed in this state, constitutes an offense prohibited under any statute listed in subsection (1) or subsection (2).

(4) Any delinquent act committed in this state or any delinquent or criminal act committed in another state or under federal law which, if committed in this state, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under s. 943.0435(1)(h)1.d.

Section 34. Paragraphs (b) and (c) of subsection (3) of section 1012.731, Florida Statutes, are amended to read:

1012.731 The Florida Best and Brightest Teacher Scholarship Program.—



903516

(3)

(b)1. In order to demonstrate eligibility for an award, an eligible classroom teacher must submit to the school district, no later than November 1, an official record of his or her qualifying assessment score and, beginning with the 2020-2021 school year, an official transcript demonstrating that he or she graduated cum laude or higher with a baccalaureate degree, if applicable. Once a classroom teacher is deemed eligible by the school district, the teacher shall remain eligible as long as he or she remains employed by the school district as a classroom teacher at the time of the award and receives an annual performance evaluation rating of highly effective pursuant to s. 1012.34 or is evaluated as highly effective based on a commissioner-approved student learning growth formula pursuant to s. 1012.34(8) for the 2019-2020 school year or thereafter.

2. A school district employee who, in the prior school year, was rated highly effective and met the eligibility requirements under this section as a classroom teacher, is eligible to receive a scholarship award during the current school year if he or she maintains employment with the school district.

~~(c) Notwithstanding the requirements of this subsection, for the 2017-2018, 2018-2019, and 2019-2020 school years, any classroom teacher who:~~

~~1. Was evaluated as highly effective pursuant to s. 1012.34 in the school year immediately preceding the year in which the scholarship will be awarded shall receive a scholarship of \$1200, including a classroom teacher who received an award pursuant to paragraph (a).~~



903516

~~2. Was evaluated as effective pursuant to s. 1012.34 in the school year immediately preceding the year in which the scholarship will be awarded a scholarship of up to \$800. If the number of eligible classroom teachers under this subparagraph exceeds the total allocation, the department shall prorate the per-teacher scholarship amount.~~

~~This paragraph expires July 1, 2020.~~

Section 35. Subsections (2), (3), and (4) of section 1012.732, Florida Statutes, are amended to read:

1012.732 The Florida Best and Brightest Principal Scholarship Program.—

(2) There is created the Florida Best and Brightest Principal Scholarship Program to be administered by the Department of Education. The program shall provide categorical funding for scholarships to be awarded to school principals, as defined in s. 1012.01(3)(c)1., who are serving as a franchise model school principal or who have recruited and retained a high percentage of best and brightest teachers.

(3)(a) A school principal identified pursuant to s. 1012.731(4)(c) is eligible to receive a scholarship under this section if he or she has served as school principal at his or her school for at least 2 consecutive school years including the current school year and his or her school has a ratio of best and brightest teachers to other classroom teachers that is at the 80th percentile or higher for schools within the same grade group, statewide, including elementary schools, middle schools, high schools, and schools with a combination of grade levels.

(b) A principal of a franchise model school, as defined in



903516

s. 1002.334, is eligible to receive a scholarship under this section.

(4) Annually, by February 1, the department shall identify eligible school principals and disburse funds to each school district for each eligible school principal to receive a scholarship.

(a) A scholarship of \$10,000 ~~\$5,000~~ must be awarded to each franchise model school principal who is ~~every~~ eligible under paragraph (3)(b).

(b) A scholarship of \$5,000 must be awarded to each school principal assigned to a Title I school and a scholarship of \$4,000 to each ~~every~~ eligible school principal who is not assigned to a Title I school and who is eligible under paragraph (3)(a).

Section 36. Paragraph (e) of subsection (1) of section 1012.796, Florida Statutes, is amended to read:

1012.796 Complaints against teachers and administrators; procedure; penalties.—

(1)

(e) If allegations arise against an employee who is certified under s. 1012.56 and employed in an educator-certificated position in any public school, charter school or governing board thereof, or private school that accepts scholarship students under s. 1002.385, s. 1002.39, ~~or~~ s. 1002.395, or another state scholarship program under chapter 1002, the school shall file in writing with the department a legally sufficient complaint within 30 days after the date on which the subject matter of the complaint came to the attention of the school. A complaint is legally sufficient if it contains



903516

ultimate facts that show a violation has occurred as provided in s. 1012.795 and defined by rule of the State Board of Education. The school shall include all known information relating to the complaint with the filing of the complaint. This paragraph does not limit or restrict the power and duty of the department to investigate complaints, regardless of the school's untimely filing, or failure to file, complaints and followup reports.

Section 37. Present paragraphs (a) through (d) of subsection (1) of section 1013.31, Florida Statutes, are redesignated as paragraphs (b) through (e), respectively, and a new paragraph (a) is added to that subsection, to read:

1013.31 Educational plant survey; localized need assessment; PECO project funding.—

(1) At least every 5 years, each board shall arrange for an educational plant survey, to aid in formulating plans for housing the educational program and student population, faculty, administrators, staff, and auxiliary and ancillary services of the district or campus, including consideration of the local comprehensive plan. The Department of Education shall document the need for additional career and adult education programs and the continuation of existing programs before facility construction or renovation related to career or adult education may be included in the educational plant survey of a school district or Florida College System institution that delivers career or adult education programs. Information used by the Department of Education to establish facility needs must include, but need not be limited to, labor market data, needs analysis, and information submitted by the school district or Florida College System institution.



903516

(a) Educational plant survey and localized need assessment for capital outlay purposes.—A district may only use funds from the following sources for educational, auxiliary, and ancillary plant capital outlay purposes without needing a survey recommendation:

1. The local capital outlay improvement fund, consisting of funds that come from and are a part of the district's basic operating budget;

2. If a board decides to build an educational, auxiliary, or ancillary facility without a survey recommendation and the taxpayers approve a bond referendum, the voted bond referendum;

3. One-half cent sales surtax revenue;

4. One cent local governmental surtax revenue;

5. Impact fees; and

6. Private gifts or donations.

Section 38. Paragraph (e) is added to subsection (2) of section 1013.385, Florida Statutes, to read:

1013.385 School district construction flexibility.—

(2) A resolution adopted under this section may propose implementation of exceptions to requirements of the uniform statewide building code for the planning and construction of public educational and ancillary plants adopted pursuant to ss. 553.73 and 1013.37 relating to:

(e) Any other provisions that limit the ability of a school to operate in a facility on the same basis as a charter school pursuant to s. 1002.33(18) if the regional planning council determines that there is sufficient shelter capacity within the school district as documented in the Statewide Emergency Shelter Plan.



903516

Section 39. Subsection (3) of section 1013.62, Florida Statutes, is amended, and paragraph (c) is added to subsection (1) of that section, to read:

1013.62 Charter schools capital outlay funding.—

(1) Charter school capital outlay funding shall consist of revenue resulting from the discretionary millage authorized in s. 1011.71(2) and state funds when such funds are appropriated in the General Appropriations Act.

(c) It is the intent of the Legislature that the public interest be protected by prohibiting personal financial enrichment by owners, operators, managers, real estate developers, and other affiliated parties of charter schools. Therefore, a charter school is not eligible for a funding allocation unless the chair of the governing board and the chief administrative officer of the charter school annually certify under oath that the funds will be used solely and exclusively for constructing, renovating, or improving charter school facilities that are:

1. Owned by a school district, a political subdivision of the state, a municipality, a Florida College System institution, or a state university;

2. Owned by an organization that is qualified as an exempt organization under s. 501(c)(3) of the Internal Revenue Code whose articles of incorporation specify that, upon the organization's dissolution, the subject property will be transferred to a school district, a political subdivision of the state, a municipality, a Florida College System institution, or a state university; or

3. Owned by and leased, at a fair market value in the



903516

school district in which the charter school is located, from a person or entity that is not an affiliated party of the charter school. For the purposes of this subparagraph, the term "affiliated party of the charter school" means the applicant for the charter school pursuant to s. 1002.33; the governing board of the charter school or a member of the governing board; the charter school owner; the charter school principal; an employee of the charter school; an independent contractor of the charter school or the governing board of the charter school; a relative, as defined in s. 1002.33(24)(a)2., of a charter school governing board member, a charter school owner, a charter school principal, a charter school employee, or an independent contractor of a charter school or charter school governing board; a subsidiary corporation, a service corporation, an affiliated corporation, a parent corporation, a limited liability company, a limited partnership, a trust, a partnership, or a related party that, individually or through one or more entities, shares common ownership or control and directly or indirectly manages, administers, controls, or oversees the operation of the charter school; or any person or entity, individually or through one or more entities that share common ownership, which directly or indirectly manages, administers, controls, or oversees the operation of any of the foregoing.

(3) If the school board levies the discretionary millage authorized in s. 1011.71(2), the department shall use the following calculation methodology to determine the amount of revenue that a school district must distribute to each eligible charter school:



903516

(a) Reduce the total discretionary millage revenue by the school district's annual debt service obligation incurred as of March 1, 2017, and any amount of participation requirement pursuant to s. 1013.64(2)(a)8. that is being satisfied by revenues raised by the discretionary millage.

(b) Divide the school district's adjusted discretionary millage revenue by the district's total capital outlay full-time equivalent membership and the total number of unweighted full-time equivalent students of each eligible charter school to determine a capital outlay allocation per full-time equivalent student.

(c) Multiply the capital outlay allocation per full-time equivalent student by the total number of full-time equivalent students for all of each eligible charter schools within the district school to determine the total charter school capital outlay allocation for each district charter school.

(d) If applicable, reduce the capital outlay allocation identified in paragraph (c) by the total amount of state funds allocated pursuant to subsection (2) to all each eligible charter schools within a district school in subsection (2) to determine the net total maximum calculated capital outlay allocation from local funds. If state funds are not allocated pursuant to subsection (2), the amount determined in paragraph (c) is equal to the net total calculated capital outlay allocation from local funds for each district.

(e) For each charter school within each district, the net capital outlay amount from local funds shall be calculated in the same manner as the state funds in paragraphs (2)(a)-(d), except that the base charter school per weighted FTE allocation



903516

amount shall be determined by dividing the net total capital outlay amount from local funds by the total weighted FTE for all eligible charter schools within the district. The per weighted FTE allocation amount from local funds shall be multiplied by the weighted FTE for each charter school to determine each charter school's capital outlay allocation from local funds.

(f)~~(e)~~ School districts shall distribute capital outlay funds to charter schools no later than February 1 of each year, ~~beginning on February 1, 2018, for the 2017-2018 fiscal year.~~

Section 40. Effective July 1, 2019, subsection (13) of section 212.08, Florida Statutes, is amended to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(13) No transactions shall be exempt from the tax imposed by this chapter except those expressly exempted herein. All laws granting tax exemptions, to the extent they may be inconsistent or in conflict with this chapter, including, but not limited to, the following designated laws, shall yield to and be superseded by the provisions of this subsection: ss. 125.019, 153.76, 154.2331, 159.15, 159.31, 159.50, 159.708, 163.385, 163.395, 215.76, 243.33, 315.11, 348.65, 348.762, 349.13, 403.1834, and 616.07, ~~and 623.09~~, and the following Laws of Florida, acts of the year indicated: s. 31, chapter 30843, 1955; s. 19, chapter 30845, 1955; s. 12, chapter 30927, 1955; s. 8, chapter 31179, 1955; s. 15, chapter 31263, 1955; s. 13, chapter 31343, 1955; s.



903516

16, chapter 59-1653; s. 13, chapter 59-1356; s. 12, chapter 61-2261; s. 19, chapter 61-2754; s. 10, chapter 61-2686; s. 11, chapter 63-1643; s. 11, chapter 65-1274; s. 16, chapter 67-1446; and s. 10, chapter 67-1681. This subsection does not supersede the authority of a local government to adopt financial and local government incentives pursuant to s. 163.2517.

Section 41. For the 2018-2019 fiscal year, the sum of \$2,596,560 in recurring funds from the General Revenue Fund and the sum of \$392,134 in nonrecurring funds from the General Revenue Fund are appropriated to the Department of Education to implement this act as follows: the sum of \$2 million in recurring funds shall be used to implement the Hope Scholarship Program created pursuant to s. 1002.40, Florida Statutes, the sum of \$596,560 in recurring funds and \$142,134 in nonrecurring funds shall be used to implement the additional oversight requirements pursuant to s. 1002.421, Florida Statutes, and the sum of \$250,000 in nonrecurring funds shall be used to issue a competitive grant award pursuant to s. 1002.395(9), Florida Statutes.

Section 42. The Department of Revenue may, and all conditions are deemed met to, adopt emergency rules pursuant to ss. 120.536(1) and 120.54, Florida Statutes, to administer this act.

Section 43. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2018

===== T I T L E A M E N D M E N T =====
And the title is amended as follows:

Delete everything before the enacting clause



903516

and insert:

A bill to be entitled

An act relating to education; creating s. 212.1832, F.S.; authorizing certain persons to receive a tax credit for certain contributions to eligible nonprofit scholarship-funding organizations for the Hope Scholarship Program; providing requirements for motor vehicle dealers; requiring the Department of Revenue to disregard certain tax credits for specified purposes; providing that specified provisions apply to certain provisions; amending s. 213.053, F.S.; authorizing the Department of Revenue to share specified information with eligible nonprofit scholarship-funding organizations; providing that certain requirements apply to such organizations; repealing ch. 623, F.S., relating to private school corporations, on a specified date; amending s. 1001.10, F.S.; revising the private schools to which the Department of Education is required to provide technical assistance and authorized staff; amending s. 1001.4205, F.S.; authorizing a member of the State Legislature to visit any district school, including any charter school, in his or her legislative district; amending s. 1002.01, F.S.; revising and defining terms; amending s. 1002.20; updating educational options and terminology; amending s. 1002.33, F.S.; extending the period of time for which a charter school may defer its opening for specified reasons; amending s. 1002.331, F.S.; revising the



903516

3202 requirements for a charter school to be considered a
3203 high-performing charter school; amending s. 1002.333,
3204 F.S.; redefining the terms "persistently low-
3205 performing school" and "school of hope"; revising the
3206 required contents of a school of hope notice of intent
3207 and performance-based agreement; revising school of
3208 hope facility requirements; specifying that certain
3209 schools of hope are eligible to receive hope
3210 supplemental service allocation funds; requiring the
3211 State Board of Education to provide awards to all
3212 eligible schools that meet certain requirements;
3213 prohibiting a school of hope operator or owner from
3214 serving as the principal of a school of hope that he
3215 or she manages; conforming cross-references; creating
3216 s. 1002.334, F.S.; defining the term "franchise model
3217 school"; authorizing specified schools to use a
3218 franchise model school as a turnaround option;
3219 specifying requirements for a franchise model school
3220 principal; amending s. 1002.385, F.S.; revising the
3221 meaning of a rare disease within the definition of a
3222 "disability" for purposes of the Gardiner Scholarship
3223 Program; revising requirements for private schools
3224 that participate in the program; specifying that the
3225 failure or refusal, rather than the inability of, a
3226 private school to meet certain requirements
3227 constitutes a basis for program ineligibility;
3228 conforming cross-references; amending s. 1002.39,
3229 F.S.; revising the purpose of department site visits
3230 at private schools participating in the John M. McKay



903516

3231 Scholarships for Students with Disabilities Program;
3232 authorizing the department to make followup site
3233 visits at any time to certain private schools;
3234 requiring participating private schools to provide a
3235 specified report from an independent certified public
3236 accountant under certain circumstances; specifying
3237 that the failure or refusal, rather than the inability
3238 of, a private school to meet certain requirements
3239 constitutes a basis for program ineligibility;
3240 conforming provisions to changes made by the act;
3241 amending s. 1002.395, F.S.; revising obligations of
3242 eligible nonprofit scholarship-funding organizations
3243 participating in the Florida Tax Credit Scholarship
3244 Program; specifying that the failure or refusal,
3245 rather than the inability of, a private school to meet
3246 certain requirements constitutes a basis for program
3247 ineligibility; revising the purpose of department site
3248 visits at private schools participating in the Florida
3249 Tax Credit Scholarship Program; authorizing the
3250 department to make followup site visits at any time to
3251 certain private schools; conforming provisions to
3252 changes made by the act; creating s. 1002.40, F.S.;
3253 establishing the Hope Scholarship Program; providing
3254 the purpose of the program; defining terms; providing
3255 eligibility requirements; prohibiting the payment of a
3256 scholarship under certain circumstances; requiring a
3257 principal to provide copies of a report of physical
3258 violence or emotional abuse to certain individuals
3259 within specified timeframes; requiring the principal



903516

3260 to investigate such incidents; requiring a school
3261 district to notify an eligible student's parent of the
3262 program under certain circumstances; requiring a
3263 school district to provide certain information
3264 relating to the statewide assessment program;
3265 providing requirements and obligations for eligible
3266 private schools; providing Department of Education
3267 obligations relating to participating students and
3268 private schools and program requirements; providing
3269 Commissioner of Education obligations; requiring the
3270 commissioner to deny, suspend, or revoke a private
3271 school's participation in the program or the payment
3272 of scholarship funds under certain circumstances;
3273 defining the term "owner or operator"; providing a
3274 process for review of a decision from the commissioner
3275 under certain circumstances; providing for the release
3276 of personally identifiable student information under
3277 certain circumstances; providing parent and student
3278 responsibilities for initial and continued
3279 participation in the program; providing nonprofit
3280 scholarship-funding organization obligations;
3281 providing for the calculation of the scholarship
3282 amount; providing the scholarship amount for students
3283 transferred to certain public schools; requiring
3284 verification of specified information before a
3285 scholarship may be disbursed; providing requirements
3286 for the scholarship payments; providing funds for
3287 administrative expenses for certain nonprofit
3288 scholarship-funding organizations; providing



903516

3289 requirements for administrative expenses; prohibiting
3290 a nonprofit scholarship-funding organization from
3291 charging an application fee; providing Auditor General
3292 obligations; providing requirements for taxpayer
3293 elections to contribute to the program; requiring the
3294 Department of Revenue to adopt forms to administer the
3295 program; providing requirements for certain agents of
3296 the Department of Revenue and motor vehicle dealers;
3297 providing reporting requirements for nonprofit
3298 scholarship-funding organizations relating to taxpayer
3299 contributions; providing penalties; providing for the
3300 restitution of specified funds under certain
3301 circumstances; providing the state is not liable for
3302 the award or use of program funds; prohibiting
3303 additional regulations for private schools
3304 participating in the program beyond those necessary to
3305 enforce program requirements; requiring the State
3306 Board of Education to adopt rules to administer the
3307 program; amending s. 1002.421, F.S.; defining the term
3308 "owner or operator"; requiring a private school to
3309 employ or contract with teachers who meet certain
3310 qualifications and provide information about such
3311 qualifications to the department and parents; revising
3312 the conditions under which a private school employee
3313 may be exempted from background screening
3314 requirements; specifying that a private school is
3315 ineligible to participate in certain scholarship
3316 programs under certain circumstances; requiring the
3317 department to annually visit a certain percentage of



903516

3318 certain private schools; authorizing the department to
3319 make certain followup site visits at any time;
3320 requiring the Division of State Fire Marshal to
3321 annually provide the department with fire safety
3322 inspection reports for certain private schools;
3323 requiring that certain private schools provide the
3324 department with a report from an independent certified
3325 public accountant under certain circumstances;
3326 repealing s. 1002.43, F.S., relating to private
3327 tutoring programs; amending s. 1002.55, F.S.;
3328 authorizing an early learning coalition to refuse to
3329 contract with certain private prekindergarten
3330 providers; amending s. 1003.01, F.S.; redefining the
3331 term "regular school attendance"; amending s. 1003.26,
3332 F.S.; conforming a cross-reference; amending s.
3333 1003.41, F.S.; revising the requirements for the Next
3334 Generation Sunshine State Standards to include
3335 financial literacy; amending s. 1003.4282, F.S.;
3336 revising the required credits for a standard high
3337 school diploma to include one-half credit of
3338 instruction in personal financial literacy and money
3339 management and seven and one-half, rather than eight,
3340 credits in electives; creating s. 1003.457, F.S.;
3341 requiring school districts to provide instruction in
3342 cardiopulmonary resuscitation (CPR) and the use of an
3343 automated external defibrillator; requiring students
3344 to study and practice psychomotor skills associated
3345 with CPR at least once before graduating from high
3346 school; requiring the instruction to be a part of a



903516

3347 required curriculum; providing instruction to be based
3348 on certain programs; providing an exemption; amending
3349 s. 1003.453, F.S.; conforming provisions to changes
3350 made by the act; amending s. 1006.061, F.S.; revising
3351 the applicability of certain child abuse, abandonment,
3352 and neglect provisions; amending s. 1006.07, F.S.;
3353 requiring district school boards to formulate and
3354 prescribe policies and procedures for active shooter
3355 situations; requiring that active shooter situation
3356 training for each school be conducted by the law
3357 enforcement agency or agencies that are designated as
3358 first responders to the school's campus; requiring
3359 each school district to conduct certain assessments in
3360 a specified format; requiring a district school
3361 superintendent to provide specified agencies with
3362 certain findings and certain strategy and activity
3363 recommendations to improve school safety and security;
3364 requiring that district school boards and private
3365 school principals or governing boards allow campus
3366 tours by such law enforcement agency or agencies at
3367 specified times and for specified purposes; requiring
3368 that certain recommendations be documented by such
3369 board or principal; amending s. 1006.12, F.S.;
3370 requiring, rather than authorizing, district school
3371 boards to establish certain school resource officer
3372 programs; requiring a district school board to
3373 commission one or more school safety officers at each
3374 district school facility within the district; amending
3375 s. 1007.273, F.S.; defining the term "structured



903516

3376 program"; providing additional options for students
3377 participating in a structured program; prohibiting a
3378 district school board from limiting the number of
3379 public school students who may participate in a
3380 structured program; revising contract requirements;
3381 requiring each district school board to annually
3382 notify students in certain grades of certain
3383 information about the structured program, by a
3384 specified date; revising provisions relating to
3385 funding; requiring the state board to enforce
3386 compliance with certain provisions by a specified date
3387 each year; providing reporting requirements; amending
3388 s. 1008.33, F.S.; revising the turnaround options
3389 available for certain schools; amending s. 1011.62,
3390 F.S.; creating the hope supplemental services
3391 allocation; providing the purpose of the allocation;
3392 specifying the services that may be funded by the
3393 allocation; providing that implementation plans may
3394 include certain models; providing requirements for
3395 implementation plans; providing for the allocation of
3396 funds in specified fiscal years; creating the mental
3397 health assistance allocation; providing the purpose of
3398 the allocation; providing for the annual allocation of
3399 such funds on a specified basis; prohibiting the use
3400 of allocated funds to supplant funds provided from
3401 other operating funds, to increase salaries, or to
3402 provide bonuses; providing requirements for school
3403 districts and charter schools; providing that required
3404 plans must include certain elements; requiring school



903516

3405 districts to annually submit approved plans to the
3406 Commissioner of Education by a specified date;
3407 requiring that entities that receive such allocations
3408 annually submit a final report on program outcomes and
3409 specific expenditures to the commissioner by a
3410 specified date; creating the funding compression
3411 allocation; providing the purpose of the allocation;
3412 authorizing funding for the annual allocation;
3413 providing the calculation for the allocation; amending
3414 s. 1011.69, F.S.; authorizing certain high schools to
3415 receive Title I funds; providing that a school
3416 district may withhold Title I funds for specified
3417 purposes; authorizing certain schools to use Title I
3418 funds for specified purposes; amending s. 1011.71,
3419 F.S.; increasing the amount that a school district may
3420 expend from a specified millage levy for certain
3421 expenses; amending s. 1012.315, F.S.; revising the
3422 applicability of certain provisions related to
3423 disqualification from employment for the conviction of
3424 specified offenses; amending s. 1012.731, F.S.;
3425 extending eligibility for the Florida Best and
3426 Brightest Teacher Scholarship Program to school
3427 district employees who, in the immediately preceding
3428 school year, were classroom teachers and met
3429 eligibility requirements; deleting scholarship awards
3430 authorized for specific school years; amending s.
3431 1012.732, F.S.; specifying that a franchise model
3432 school principal is eligible to receive a Florida Best
3433 and Brightest Principal scholarship; requiring



903516

3434 specified awards for eligible principals; amending s.
3435 1012.796, F.S.; revising the applicability of a
3436 requirement that certain private schools file
3437 specified reports with the department for certain
3438 allegations against its employees; amending s.
3439 1013.31, F.S.; authorizing a district to use certain
3440 sources of funds for educational, auxiliary, and
3441 ancillary plant capital outlay purposes without
3442 needing a survey recommendation; amending s. 1013.385,
3443 F.S.; providing additional exceptions to certain
3444 building code regulations for school districts;
3445 amending s. 1013.62, F.S.; providing legislative
3446 intent; prohibiting a charter school from being
3447 eligible for capital outlay funds unless the chair of
3448 the governing board and the chief administrative
3449 officer of the charter school annually certify certain
3450 information; defining the term "affiliated party of
3451 the charter school"; revising the Department of
3452 Education's calculation methodology for a school
3453 district's distribution of discretionary millage to
3454 its eligible charter schools; amending s. 212.08,
3455 F.S.; conforming a cross-reference; providing
3456 appropriations; providing appropriations; authorizing
3457 the Department of Revenue to adopt emergency rules for
3458 specified purposes; providing effective dates.

CS/HB 7055

2018

1 A bill to be entitled
 2 An act relating to education; amending s. 11.45, F.S.;
 3 revising the duties of the Auditor General; amending
 4 s. 112.313, F.S.; prohibiting former appointed
 5 district school superintendents from conducting
 6 certain lobbying activities; amending s. 112.31455,
 7 F.S.; requiring the governing body of a district
 8 school board to be notified if an officer or employee
 9 of the body owes a certain fine; requiring the
 10 governing body of a district school board to take
 11 specified actions under such circumstances; creating
 12 s. 212.1832, F.S.; authorizing certain persons to
 13 receive a tax credit for certain contributions to
 14 eligible nonprofit scholarship-funding organizations
 15 for the Hope Scholarship Program; providing
 16 requirements for motor vehicle dealers; requiring the
 17 Department of Revenue to disregard certain tax credits
 18 for specified purposes; providing that specified
 19 provisions apply to certain provisions; amending s.
 20 213.053, F.S.; requiring the Department of Revenue to
 21 share specified information with eligible nonprofit
 22 scholarship-funding organizations; providing that
 23 certain requirements apply to such organizations;
 24 creating s. 250.483, F.S.; providing requirements
 25 relating to licensure or qualification of persons

Page 1 of 198

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hb7055-01-c1

CS/HB 7055

2018

26 ordered into active duty; amending s. 446.041, F.S.;
 27 providing duties of the Department of Education;
 28 amending s. 446.081, F.S.; providing construction;
 29 creating s. 683.147, F.S.; designating March 25 of
 30 each year as "Medal of Honor Day"; amending s.
 31 1001.10, F.S.; authorizing the Commissioner of
 32 Education to coordinate resources during an emergency;
 33 amending s. 1001.20, F.S.; requiring the Office of
 34 Inspector General to investigate certain allegations
 35 and reports made by specified individuals; amending s.
 36 1001.39, F.S.; requiring a district school board
 37 member's travel outside of the school district to be
 38 preapproved and meet certain criteria; providing
 39 requirements for such member's request for travel
 40 outside of the state; providing an opportunity for the
 41 public to speak on such travel; amending s. 1001.395,
 42 F.S.; providing that certain requirements for the
 43 salaries of district school board members apply every,
 44 rather than one specific, fiscal year; amending s.
 45 1001.42, F.S.; providing that the standards of ethical
 46 conduct apply to administrative personnel and school
 47 officers; authorizing district school board members to
 48 request and receive specified budget information;
 49 requiring employment of internal auditors in certain
 50 school districts; revising provisions relating to the

Page 2 of 198

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hb7055-01-c1

CS/HB 7055

2018

51 duties of such internal auditors; amending s. 1001.51,
 52 F.S.; revising the duties and responsibilities of
 53 school district superintendents relating to the
 54 organization and operation of schools; amending s.
 55 1002.33, F.S.; revising the criteria for denying high-
 56 performing charter school system applications;
 57 revising the requirements for the term of a charter;
 58 revising provisions for the modification of and the
 59 nonrenewal or termination of a charter; revising the
 60 process for resolving contractual disputes; amending
 61 s. 1002.331, F.S.; revising the criteria for
 62 designation as a high-performing charter school;
 63 revising the calculation used to determine facility
 64 capacity for such charter schools; revising the number
 65 of schools that can be established by a high-
 66 performing charter school; amending s. 1002.333, F.S.;
 67 providing for certain funds for the Schools of Hope
 68 Program to be carried forward for a specified number
 69 of years; amending s. 1002.37, F.S.; providing that
 70 certain students shall be given priority; requiring
 71 school districts to provide Florida Virtual School
 72 students access to certain examinations and
 73 assessments and certain information; amending s.
 74 1002.385, F.S.; revising eligible expenditures for the
 75 Gardiner Scholarship Program; conforming provisions to

Page 3 of 198

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hb7055-01-c1

CS/HB 7055

2018

76 changes made by the act; amending s. 1002.39, F.S.;
 77 conforming provisions to changes made by the act;
 78 amending s. 1002.395, F.S.; revising the requirements
 79 for an annual report of certain student data for the
 80 Florida Tax Credit Scholarship Program; conforming
 81 provisions to changes made by the act; creating s.
 82 1002.40, F.S.; establishing the Hope Scholarship
 83 Program; providing the purpose of the program;
 84 providing definitions; providing eligibility
 85 requirements; prohibiting the payment of a scholarship
 86 under certain circumstances; requiring a school
 87 principal to investigate a report of physical violence
 88 or emotional abuse; requiring a school district to
 89 notify an eligible student's parent of the program;
 90 requiring a school district to provide certain
 91 information relating to the statewide assessment
 92 program; providing requirements and obligations for
 93 eligible private schools; providing department
 94 obligations relating to participating students and
 95 private schools and program requirements; providing
 96 parent and student responsibilities for initial and
 97 continued participation in the program; providing
 98 eligible nonprofit scholarship-funding organization
 99 obligations; providing for the calculation of the
 100 scholarship amount; providing the scholarship amount

Page 4 of 198

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hb7055-01-c1

CS/HB 7055

2018

101 for students transferred to certain public schools;
 102 requiring verification of specified information before
 103 a scholarship may be disbursed; providing requirements
 104 for the scholarship payments; providing funds for
 105 administrative expenses for certain nonprofit
 106 scholarship-funding organizations; providing
 107 requirements for administrative expenses; prohibiting
 108 an eligible nonprofit scholarship-funding organization
 109 from charging an application fee; providing Auditor
 110 General obligations; providing requirements for
 111 taxpayer elections to contribute to the program;
 112 requiring the Department of Revenue to adopt forms to
 113 administer the program; providing reporting
 114 requirements for eligible nonprofit scholarship-
 115 funding organizations relating to taxpayer
 116 contributions; providing requirements for certain
 117 agents of the Department of Revenue and motor vehicle
 118 dealers; providing penalties; providing for the
 119 restitution of specified funds under certain
 120 circumstances; providing that the state is not liable
 121 for the award or use of program funds; prohibiting
 122 additional regulations for private schools
 123 participating in the program beyond those necessary to
 124 enforce program requirements; requiring the State
 125 Board of Education and the Department of Revenue to

Page 5 of 198

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hb7055-01-c1

CS/HB 7055

2018

126 adopt rules to administer the program; creating s.
 127 1002.411, F.S.; establishing reading scholarship
 128 accounts for specified purposes; providing for
 129 eligibility for scholarships; providing for
 130 administration; providing duties of the Department of
 131 Education; providing school district obligations;
 132 specifying options for parents; providing that maximum
 133 funding shall be specified in the General
 134 Appropriations Act; providing for payment of funds;
 135 specifying that no state liability arises from the
 136 award or use of such an account; amending s. 1002.421,
 137 F.S.; providing private school requirements for
 138 participation in educational scholarship programs;
 139 providing background screening requirements and
 140 procedures for owners of private schools; providing
 141 that a private school is ineligible to participate in
 142 an educational scholarship program under certain
 143 circumstances; providing department obligations
 144 relating to educational scholarship programs;
 145 providing commissioner authority and responsibilities
 146 for educational scholarship programs; authorizing the
 147 commissioner to deny, suspend, or revoke a private
 148 school's participation in an educational scholarship
 149 program; amending s. 1003.42, F.S.; revising the
 150 requirements for certain required instruction;

Page 6 of 198

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hb7055-01-c1

CS/HB 7055

2018

151 providing for a character development program that
 152 incorporates the values of the recipients of the
 153 Congressional Medal of Honor; amending s. 1003.576,
 154 F.S.; requiring a specified IEP system to be used
 155 statewide; deleting an obsolete date; amending s.
 156 1006.07, F.S.; revising district school board duties
 157 to include security risk assessments; requiring
 158 certain self-assessments to be in a specified format;
 159 amending s. 1007.271, F.S.; deleting a requirement for
 160 a home education student to provide his or her own
 161 instructional materials; revising the requirements for
 162 home education and private school articulation
 163 agreements; amending s. 1008.22, F.S.; requiring
 164 certain portions of the English Language Arts
 165 assessments to include social studies content;
 166 revising the format requirements for certain statewide
 167 assessments; requiring published assessment items to
 168 be in a format that meets certain criteria; amending
 169 s. 1010.20, F.S.; requiring each school district to
 170 report certain expenditures to the Department of
 171 Education; providing department responsibilities;
 172 amending s. 1010.30, F.S.; requiring certain entities
 173 to provide an audit overview under certain
 174 circumstances; providing for the contents of the
 175 overview; amending ss. 1011.01 and 1011.03, F.S.;

Page 7 of 198

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hb7055-01-c1

CS/HB 7055

2018

176 conforming provisions to changes made by the act;
 177 amending s. 1011.035, F.S.; requiring each district
 178 school board to post on its website certain graphical
 179 representations and a link to a certain web-based
 180 tool; providing requirements for such graphical
 181 representations; amending s. 1011.051, F.S.; requiring
 182 a district school board to limit certain expenditures
 183 by a specified amount if certain financial conditions
 184 exist for a specified period of time; requiring the
 185 department to contract with a third party to conduct
 186 an investigation under certain circumstances;
 187 providing requirements for such investigation;
 188 requiring the results of such investigation to include
 189 certain information and be provided to certain
 190 entities; amending s. 1011.06, F.S.; requiring each
 191 district school board to approve certain expenditures
 192 by complying with specified provisions and amending
 193 its budget; requiring such board to provide a public
 194 explanation for such budget amendments; amending s.
 195 1011.09, F.S.; providing certain expenditure
 196 limitations for a school district that meets specified
 197 criteria; amending s. 1011.10, F.S.; requiring certain
 198 school districts to withhold district school board
 199 member and school district superintendent salaries
 200 until certain conditions are corrected; amending s.

Page 8 of 198

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hb7055-01-c1

CS/HB 7055

2018

201 1011.60, F.S.; conforming cross-references; amending
 202 s. 1011.62, F.S.; renaming the "supplemental academic
 203 instruction categorical fund" as the "supplemental
 204 academic instruction allocation"; requiring certain
 205 school districts to use the allocation for specified
 206 purposes; deleting an obsolete date; deleting a
 207 provision authorizing the Florida State University
 208 School to expend specified funds for certain purposes;
 209 prohibiting the award of certain bonuses to teachers
 210 who fail to maintain the security of certain
 211 examinations or violate certain protocols; authorizing
 212 the state board to adopt rules for specified purposes;
 213 conforming provisions to changes made by the act;
 214 revising the research-based reading instruction
 215 allocation; revising the criteria for establishing the
 216 300 lowest-performing elementary schools; providing
 217 requirements for staffing summer reading camps funded
 218 through the allocation; requiring school districts
 219 that meet specified criteria, rather than all school
 220 districts, to submit a comprehensive reading plan for
 221 specified purposes; deleting provisions for the
 222 release or withholding of funds based on a school
 223 district's comprehensive reading plan; revising a
 224 definition; amending s. 1011.6202, F.S.; renaming the
 225 "Principal Autonomy Pilot Program" as the "Principal

Page 9 of 198

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hb7055-01-c1

CS/HB 7055

2018

226 Autonomy Program"; providing that any school district
 227 may apply to participate in the program; providing
 228 that a school shall retain its exemption from
 229 specified laws under specified circumstances;
 230 requiring a designated leadership team at a
 231 participating school to complete a certain turnaround
 232 program; deleting a provision providing a specified
 233 amount of funds to a participating school district
 234 that completes the turnaround program; authorizing
 235 certain principals to manage additional schools under
 236 the control of an independent governing board;
 237 providing requirements for such schools; providing for
 238 such schools to participate in the program; providing
 239 requirements for such participation; specifying that
 240 no school district liability arises from the
 241 management of such schools; deleting a school's
 242 authority to renew participation in the program;
 243 deleting reporting requirements; providing for
 244 funding; revising the principal eligibility criteria
 245 for a salary supplement through the program; repealing
 246 s. 1011.64, F.S., relating to school district minimum
 247 classroom expenditure requirements; amending s.
 248 1011.69, F.S.; authorizing certain high schools to
 249 receive Title I funds; providing that a school
 250 district may withhold Title I funds for specified

Page 10 of 198

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hb7055-01-c1

CS/HB 7055

2018

251 purposes; authorizing certain schools to use Title I
 252 funds for specified purposes; amending s. 1011.71,
 253 F.S.; prohibiting a school district from withholding
 254 charter school administrative fees under certain
 255 circumstances; amending s. 1012.23, F.S.; prohibiting
 256 a school district superintendent and district school
 257 board from appointing or employing certain individuals
 258 in certain positions; providing an exception;
 259 requiring the Commission on Ethics to investigate
 260 alleged violations; amending s. 1012.2315, F.S.;
 261 requiring certain employee organizations to include
 262 specified information in a specified application and
 263 to petition for recertification for specified
 264 purposes; amending s. 1012.28, F.S.; conforming
 265 provisions to changes made by the act; amending s.
 266 1012.32, F.S.; requiring a district school board to
 267 reimburse certain costs if it fails to notify a
 268 charter school of the eligibility status of certain
 269 persons; amending s. 1012.55, F.S.; requiring the
 270 state board to issue a temporary certificate in
 271 educational leadership to certain persons; providing
 272 that certain instructors may receive the funds through
 273 a specified program; amending s. 1012.56, F.S.;
 274 requiring the state board to adopt certain rules
 275 relating to temporary educator certificates; amending

Page 11 of 198

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hb7055-01-c1

CS/HB 7055

2018

276 s. 1012.562, F.S.; authorizing charter schools and
 277 charter management organizations to offer school
 278 leader preparation programs; amending s. 1012.59,
 279 F.S.; requiring the state board to waive certain fees
 280 for specified persons; amending s. 1012.98, F.S.;
 281 requiring professional development resources to
 282 include sample course-at-a-glance and unit overview
 283 templates; providing requirements for such templates;
 284 amending s. 1013.28, F.S.; requiring school districts
 285 to provide charter schools access to certain property
 286 on the same basis as public schools; prohibiting
 287 certain actions by a charter school without the
 288 written permission of the school district; amending s.
 289 1013.385, F.S.; providing additional exceptions to
 290 certain building code regulations for school
 291 districts; amending s. 1013.62, F.S.; revising
 292 requirements for charter school capital outlay
 293 funding; conforming provisions to changes made by the
 294 act; providing appropriations; authorizing the
 295 Department of Revenue to adopt emergency rules for
 296 specified purposes; providing an effective date.

298 Be It Enacted by the Legislature of the State of Florida:

300 Section 1. Paragraph (k) of subsection (2) of section

Page 12 of 198

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hb7055-01-c1

CS/HB 7055

2018

301 11.45, Florida Statutes, is redesignated as paragraph (l), and a
 302 new paragraph (k) is added to that subsection to read:

303 11.45 Definitions; duties; authorities; reports; rules.—

304 (2) DUTIES.—The Auditor General shall:

305 (k) Contact each district school board, as defined in s.
 306 1003.01(1), with the findings and recommendations contained
 307 within the Auditor General's previous operational audit report.
 308 The district school board shall provide the Auditor General with
 309 evidence of the initiation of corrective action within 45 days
 310 after the date it is requested by the Auditor General and
 311 evidence of completion of corrective action within 180 days
 312 after the date it is requested by the Auditor General. If the
 313 district school board fails to comply with the Auditor General's
 314 request or is unable to take corrective action within the
 315 required timeframe, the Auditor General shall notify the
 316 Legislative Auditing Committee.

317
 318 The Auditor General shall perform his or her duties
 319 independently but under the general policies established by the
 320 Legislative Auditing Committee. This subsection does not limit
 321 the Auditor General's discretionary authority to conduct other
 322 audits or engagements of governmental entities as authorized in
 323 subsection (3).

324 Section 2. Subsection (14) of section 112.313, Florida
 325 Statutes, is amended to read:

Page 13 of 198

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hb7055-01-c1

CS/HB 7055

2018

326 112.313 Standards of conduct for public officers,
 327 employees of agencies, and local government attorneys.—

328 (14) LOBBYING BY FORMER LOCAL OFFICERS; PROHIBITION.—A
 329 person who has been elected to any county, municipal, special
 330 district, or school district office or an appointed
 331 superintendent of a school district may not personally represent
 332 another person or entity for compensation before the government
 333 body or agency of which the person was an officer for a period
 334 of 2 years after vacating that office. For purposes of this
 335 subsection:

336 (a) The "government body or agency" of a member of a board
 337 of county commissioners consists of the commission, the chief
 338 administrative officer or employee of the county, and their
 339 immediate support staff.

340 (b) The "government body or agency" of any other county
 341 elected officer is the office or department headed by that
 342 officer, including all subordinate employees.

343 (c) The "government body or agency" of an elected
 344 municipal officer consists of the governing body of the
 345 municipality, the chief administrative officer or employee of
 346 the municipality, and their immediate support staff.

347 (d) The "government body or agency" of an elected special
 348 district officer is the special district.

349 (e) The "government body or agency" of an elected school
 350 district officer is the school district.

Page 14 of 198

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hb7055-01-c1

CS/HB 7055

2018

351 Section 3. Subsection (1) of section 112.31455, Florida
 352 Statutes, is amended to read:

353 112.31455 Collection methods for unpaid automatic fines
 354 for failure to timely file disclosure of financial interests.—

355 (1) Before referring any unpaid fine accrued pursuant to
 356 s. 112.3144(5) or s. 112.3145(7) to the Department of Financial
 357 Services, the commission shall attempt to determine whether the
 358 individual owing such a fine is a current public officer or
 359 current public employee. If so, the commission may notify the
 360 Chief Financial Officer or the governing body of the appropriate
 361 county, municipality, district school board, or special district
 362 of the total amount of any fine owed to the commission by such
 363 individual.

364 (a) After receipt and verification of the notice from the
 365 commission, the Chief Financial Officer or the governing body of
 366 the county, municipality, district school board, or special
 367 district shall begin withholding the lesser of 10 percent or the
 368 maximum amount allowed under federal law from any salary-related
 369 payment. The withheld payments shall be remitted to the
 370 commission until the fine is satisfied.

371 (b) The Chief Financial Officer or the governing body of
 372 the county, municipality, district school board, or special
 373 district may retain an amount of each withheld payment, as
 374 provided in s. 77.0305, to cover the administrative costs
 375 incurred under this section.

Page 15 of 198

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hb7055-01-c1

CS/HB 7055

2018

376 Section 4. Section 212.1832, Florida Statutes, is created
 377 to read:

378 212.1832 Credit for contributions to the Hope Scholarship
 379 Program.—

380 (1) Upon adoption of rules, the purchaser of a motor
 381 vehicle shall be granted a credit of 100 percent of an eligible
 382 contribution made to an eligible nonprofit scholarship-funding
 383 organization under s. 1002.40 against any tax imposed by the
 384 state and collected from the purchaser by a dealer, designated
 385 agent, or private tag agent as a result of the purchase or
 386 acquisition of a motor vehicle. For purposes of this subsection,
 387 the term "purchase" does not include the lease or rental of a
 388 motor vehicle.

389 (2) A dealer shall take a credit against any tax imposed
 390 by the state under this chapter on the purchase of a motor
 391 vehicle in an amount equal to the credit granted to the
 392 purchaser under subsection (1).

393 (3) For purposes of the distributions of tax revenue under
 394 s. 212.20, the department shall disregard any tax credits
 395 allowed under this section to ensure that any reduction in tax
 396 revenue received that is attributable to the tax credits results
 397 only in a reduction in distributions to the General Revenue
 398 Fund. The provisions of s. 1002.40 apply to the credit
 399 authorized by this section.

400 Section 5. Subsection (21) is added to section 213.053,

Page 16 of 198

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hb7055-01-c1

CS/HB 7055

2018

401 Florida Statutes, to read:

402 213.053 Confidentiality and information sharing.—

403 (21) (a) The department may provide to an eligible
 404 nonprofit scholarship-funding organization, as defined in s.
 405 1002.40, a dealer's name, address, federal employer
 406 identification number, and information related to differences
 407 between credits taken by the dealer pursuant to s. 212.1832(2)
 408 and amounts remitted to the eligible nonprofit scholarship-
 409 funding organization under s. 1002.40(13)(b)3. The eligible
 410 nonprofit scholarship-funding organization may use the
 411 information for purposes of recovering eligible contributions
 412 designated for that organization that were collected by the
 413 dealer but never remitted to the organization.

414 (b) Nothing in this subsection authorizes the disclosure
 415 of information if such disclosure is prohibited by federal law.
 416 An eligible nonprofit scholarship-funding organization is bound
 417 by the same requirements of confidentiality and the same
 418 penalties for a violation of the requirements as the department.

419 Section 6. Section 250.483, Florida Statutes, is created
 420 to read:

421 250.483 Active duty; licensure or qualification.—

422 (1) If a member of the Florida National Guard or the
 423 United States Armed Forces Reserves seeking licensure or
 424 qualification for a trade, occupation, or profession is ordered
 425 into state active duty or into active duty as defined in this

Page 17 of 198

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hb7055-01-c1

CS/HB 7055

2018

426 chapter, and his or her period of training, study,
 427 apprenticeship, or practical experience is interrupted or the
 428 start thereof is delayed, he or she is entitled to licensure or
 429 qualification under the laws covering his or her licensure or
 430 qualification at the time of entrance into active duty pursuant
 431 to subsection (2).

432 (2) A board of examiners or other qualification board
 433 regulated under general law shall accept periods of training and
 434 practical experience in the Florida National Guard or the United
 435 States Armed Forces Reserves in place of the interrupted or
 436 delayed periods of training, study, apprenticeship, or practical
 437 experience if the board finds the standard and type of work or
 438 training performed in the Florida National Guard or the United
 439 States Armed Forces Reserves to be substantially the same as the
 440 standard and type required under the laws of this state.

441 (3) A member of the Florida National Guard or the United
 442 States Armed Forces Reserves must request licensure or
 443 qualification pursuant to this section by the respective board
 444 of examiners or other qualification board within 6 months after
 445 release from active duty with the Florida National Guard or the
 446 United States Armed Forces Reserves.

447 Section 7. Subsections (7) through (12) of section
 448 446.041, Florida Statutes, are renumbered as subsections (8)
 449 through (13), respectively, and a new subsection (7) is added to
 450 that section to read:

Page 18 of 198

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hb7055-01-c1

CS/HB 7055

2018

451 446.041 Apprenticeship program, duties of the department.—

452 The department shall:

453 (7) Lead and coordinate outreach efforts to educate
454 veterans about apprenticeship and career opportunities.

455 Section 8. Subsection (4) is added to section 446.081,
456 Florida Statutes, to read:

457 446.081 Limitation.—

458 (4) Nothing in ss. 446.011-446.092 or in any rules adopted
459 or contained in any approved apprentice agreement under such
460 sections invalidates any special provision for veterans,
461 minority persons, or women in the standards, qualifications, or
462 operation of the apprenticeship program which is not otherwise
463 prohibited by any applicable general law, rule, or regulation.

464 Section 9. Section 683.147, Florida Statutes, is created
465 to read:

466 683.147 Medal of Honor Day.—

467 (1) March 25 of each year is designated as "Medal of Honor
468 Day."

469 (2) The Governor may annually issue a proclamation
470 designating March 25 as Medal of Honor Day and calling upon
471 public officials, schools, private organizations, and all
472 residents of the state to commemorate Medal of Honor Day and
473 honor recipients of the Congressional Medal of Honor who
474 distinguished themselves through their conspicuous bravery and
475 gallantry during wartime, and at considerable risk to their own

Page 19 of 198

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hb7055-01-c1

CS/HB 7055

2018

476 lives, while serving as members of the United States Armed
477 Forces.

478 Section 10. Subsection (8) is added to section 1001.10,
479 Florida Statutes, to read:

480 1001.10 Commissioner of Education; general powers and
481 duties.—

482 (8) In the event of an emergency, the commissioner may
483 coordinate through the most appropriate means of communication
484 with local school districts, Florida College System
485 institutions, and satellite offices of the Division of Blind
486 Services and the Division of Vocational Rehabilitation to assess
487 the need for resources and assistance to enable each school,
488 institution, or satellite office to reopen as soon as possible
489 after considering the health, safety, and welfare of students
490 and clients.

491 Section 11. Paragraph (e) of subsection (4) of section
492 1001.20, Florida Statutes, is amended to read:

493 1001.20 Department under direction of state board.—

494 (4) The Department of Education shall establish the
495 following offices within the Office of the Commissioner of
496 Education which shall coordinate their activities with all other
497 divisions and offices:

498 (e) Office of Inspector General.—Organized using existing
499 resources and funds and responsible for promoting
500 accountability, efficiency, and effectiveness and detecting

Page 20 of 198

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hb7055-01-c1

CS/HB 7055

2018

501 fraud and abuse within school districts, the Florida School for
 502 the Deaf and the Blind, and Florida College System institutions
 503 in Florida. If the Commissioner of Education determines that a
 504 district school board, the Board of Trustees for the Florida
 505 School for the Deaf and the Blind, or a Florida College System
 506 institution board of trustees is unwilling or unable to address
 507 substantiated allegations made by any person relating to waste,
 508 fraud, or financial mismanagement within the school district,
 509 the Florida School for the Deaf and the Blind, or the Florida
 510 College System institution, the office shall conduct,
 511 coordinate, or request investigations into such substantiated
 512 allegations. The office shall investigate allegations or reports
 513 of possible fraud or abuse against a district school board made
 514 by any member of the Cabinet; the presiding officer of either
 515 house of the Legislature; a chair of a substantive or
 516 appropriations committee with jurisdiction; or a member of the
 517 board for which an investigation is sought. The office shall
 518 have access to all information and personnel necessary to
 519 perform its duties and shall have all of its current powers,
 520 duties, and responsibilities authorized in s. 20.055.

521 Section 12. Subsection (1) of section 1001.39, Florida
 522 Statutes, is amended to read:

523 1001.39 District school board members; travel expenses.—
 524 (1) In addition to the salary provided in s. 1001.395,
 525 each member of a district school board shall be allowed, from

Page 21 of 198

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hb7055-01-c1

CS/HB 7055

2018

526 the district school fund, reimbursement of travel expenses as
 527 authorized in s. 112.061, ~~except as provided that in subsection~~
 528 ~~(2).~~ any travel outside the district requires prior approval by
 529 the district school board to confirm that such travel is for
 530 official business of the school district and complies with shall
 531 ~~also be governed by the rules of the State Board of Education.~~
 532 Any request for travel outside the state must include an
 533 itemized list detailing all anticipated travel expenses,
 534 including, but not limited to, the anticipated costs of all
 535 means of travel, lodging, and subsistence. Immediately preceding
 536 a request, the public must have an opportunity to speak on the
 537 specific travel agenda item.

538 Section 13. Subsection (3) of section 1001.395, Florida
 539 Statutes, is amended to read:

540 1001.395 District school board members; compensation.—
 541 (3) Notwithstanding the provisions of this section and s.
 542 145.19, ~~for the 2010-2011 fiscal year,~~ the salary of each
 543 district school board member shall be the amount calculated
 544 pursuant to subsection (1) or the district's beginning salary
 545 for teachers who hold baccalaureate degrees, whichever is less.

546 Section 14. Subsections (6) and (7), paragraphs (b) and
 547 (1) of subsection (12), and paragraph (b) of subsection (17) of
 548 section 1001.42, Florida Statutes, are amended to read:

549 1001.42 Powers and duties of district school board.—The
 550 district school board, acting as a board, shall exercise all

Page 22 of 198

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hb7055-01-c1

CS/HB 7055

2018

551 powers and perform all duties listed below:

552 (6) STANDARDS OF ETHICAL CONDUCT FOR INSTRUCTIONAL
 553 PERSONNEL, ADMINISTRATIVE PERSONNEL, AND SCHOOL OFFICERS
 554 ~~ADMINISTRATORS~~.—Adopt policies establishing standards of ethical
 555 conduct for instructional personnel, administrative personnel,
 556 and school officers ~~administrators~~. The policies must require
 557 all instructional personnel, administrative personnel, and
 558 school officers ~~administrators~~, as defined in s. 1012.01, to
 559 complete training on the standards; establish the duty of
 560 instructional personnel, administrative personnel, and school
 561 officers ~~administrators~~ to report, and procedures for reporting,
 562 alleged misconduct by other instructional or administrative
 563 personnel and school officers ~~school administrators~~ which
 564 affects the health, safety, or welfare of a student; and include
 565 an explanation of the liability protections provided under ss.
 566 39.203 and 768.095. A district school board, or any of its
 567 employees, may not enter into a confidentiality agreement
 568 regarding terminated or dismissed instructional or
 569 administrative personnel or school officers ~~administrators~~, ~~or~~
 570 ~~personnel or administrators~~ who resign in lieu of termination,
 571 based in whole or in part on misconduct that affects the health,
 572 safety, or welfare of a student, and may not provide
 573 instructional personnel, administrative personnel, or school
 574 officers ~~administrators~~ with employment references or discuss
 575 the personnel's or officers' ~~administrators'~~ performance with

Page 23 of 198

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hb7055-01-c1

CS/HB 7055

2018

576 prospective employers in another educational setting, without
 577 disclosing the personnel's or officers' ~~administrators'~~
 578 misconduct. Any part of an agreement or contract that has the
 579 purpose or effect of concealing misconduct by instructional
 580 personnel, administrative personnel, or school officers
 581 ~~administrators~~ which affects the health, safety, or welfare of a
 582 student is void, is contrary to public policy, and may not be
 583 enforced.

584 (7) DISQUALIFICATION FROM EMPLOYMENT.—Disqualify
 585 instructional personnel and administrative personnel ~~school~~
 586 ~~administrators~~, as defined in s. 1012.01, from employment in any
 587 position that requires direct contact with students if the
 588 personnel ~~or administrators~~ are ineligible for such employment
 589 under s. 1012.315. An elected or appointed school board official
 590 forfeits his or her salary for 1 year if:

591 (a) The school board official knowingly signs and
 592 transmits to any state official a report of alleged misconduct
 593 by instructional personnel or administrative personnel ~~school~~
 594 ~~administrators~~ which affects the health, safety, or welfare of a
 595 student and the school board official knows the report to be
 596 false or incorrect; or

597 (b) The school board official knowingly fails to adopt
 598 policies that require instructional personnel and administrative
 599 personnel ~~school administrators~~ to report alleged misconduct by
 600 other instructional personnel and administrative personnel

Page 24 of 198

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hb7055-01-c1

CS/HB 7055

2018

601 ~~school administrators~~, or that require the investigation of all
 602 reports of alleged misconduct by instructional personnel and
 603 ~~administrative personnel school administrators~~, if the
 604 misconduct affects the health, safety, or welfare of a student.

605 (12) FINANCE.—Take steps to assure students adequate
 606 educational facilities through the financial procedure
 607 authorized in chapters 1010 and 1011 and as prescribed below:

608 (b) Annual budget.—

609 1. Cause to be prepared, adopt, and have submitted to the
 610 Department of Education as required by law and rules of the
 611 State Board of Education, the annual school budget, such budget
 612 to be so prepared and executed as to promote the improvement of
 613 the district school system.

614 2. An individual school board member may request and shall
 615 receive any proposed, tentative, and official budget documents,
 616 including all supporting and background information.

617 (1) Internal auditor.—May or, in the case of a school
 618 district receiving annual federal, state, and local funds in
 619 excess of \$500 million, shall employ an internal auditor. The
 620 duties of the internal auditor shall include oversight of every
 621 functional and program area of the school system.

622 1. The internal auditor shall ~~to~~ perform ongoing financial
 623 verification of the financial records of the school district, a
 624 comprehensive risk assessment of all areas of the school system
 625 every 5 years, and other audits and reviews as the district

Page 25 of 198

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hb7055-01-c1

CS/HB 7055

2018

626 school board directs for determining:

627 a. The adequacy of internal controls designed to prevent
 628 and detect fraud, waste, and abuse.

629 b. Compliance with applicable laws, rules, contracts,
 630 grant agreements, district school board-approved policies, and
 631 best practices.

632 c. The efficiency of operations.

633 d. The reliability of financial records and reports.

634 e. The safeguarding of assets.

635 f. Financial solvency.

636 g. Projected revenues and expenditures.

637 h. The rate of change in the general fund balance.

638 2. The internal auditor shall prepare audit reports of his
 639 or her findings and report directly to the district school board
 640 or its designee.

641 3. Any person responsible for furnishing or producing any
 642 book, record, paper, document, data, or sufficient information
 643 necessary to conduct a proper audit or examination which the
 644 internal auditor is by law authorized to perform is subject to
 645 s. 11.47(3) and (4).

646 (17) PUBLIC INFORMATION AND PARENTAL INVOLVEMENT PROGRAM.—

647 (b) Adopt rules to strengthen family involvement and
 648 empowerment pursuant to s. 1002.23. The rules shall be developed
 649 in collaboration with ~~administrative personnel school~~
 650 ~~administrators~~, parents, teachers, and community partners.

Page 26 of 198

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hb7055-01-c1

CS/HB 7055

2018

651 Section 15. Subsection (6) of section 1001.51, Florida
 652 Statutes, is amended to read:

653 1001.51 Duties and responsibilities of district school
 654 superintendent.—The district school superintendent shall
 655 exercise all powers and perform all duties listed below and
 656 elsewhere in the law, provided that, in so doing, he or she
 657 shall advise and counsel with the district school board. The
 658 district school superintendent shall perform all tasks necessary
 659 to make sound recommendations, nominations, proposals, and
 660 reports required by law to be acted upon by the district school
 661 board. All such recommendations, nominations, proposals, and
 662 reports by the district school superintendent shall be either
 663 recorded in the minutes or shall be made in writing, noted in
 664 the minutes, and filed in the public records of the district
 665 school board. It shall be presumed that, in the absence of the
 666 record required in this section, the recommendations,
 667 nominations, and proposals required of the district school
 668 superintendent were not contrary to the action taken by the
 669 district school board in such matters.

670 (6) ESTABLISHMENT, ORGANIZATION, AND OPERATION OF SCHOOLS,
 671 CLASSES, AND SERVICES.—Recommend the establishment,
 672 organization, and operation of such schools, classes, and
 673 services as are needed to provide adequate educational
 674 opportunities for all children in the district. Recommendations
 675 may include the organization and operation of schools by an

Page 27 of 198

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hb7055-01-c1

CS/HB 7055

2018

676 independent governing board to create the optimal learning
 677 environment to address the academic needs of students by giving
 678 instructional personnel freedom from burdensome regulations. To
 679 avoid any conflict of interest regarding the review, approval,
 680 and oversight of the school, members of the governing board may
 681 not be employees of the school district or any school operated
 682 by the governing board. Any school in which all instructional
 683 personnel are employees of an independent governing board shall
 684 operate in accordance with:

685 (a) The contract between the independent governing board
 686 and the district school board.

687 (b) The exemptions from law provided in s. 1011.6202(3)(a)
 688 and (b).

689 (c) The provisions of s. 1011.6202(5)(b) and (c), relating
 690 to tort liability and employer status.

691 Section 16. Paragraphs (d) through (g) of subsection (8)
 692 of section 1002.33, Florida Statutes, are redesignated as
 693 paragraphs (c) through (f), respectively, and paragraph (b) of
 694 subsection (6), paragraphs (a), (d), and (e) of subsection (7),
 695 present paragraphs (a), (b), and (c) of subsection (8),
 696 paragraph (n) of subsection (9), and paragraph (b) of subsection
 697 (20) of that section are amended to read:

698 1002.33 Charter schools.—

699 (6) APPLICATION PROCESS AND REVIEW.—Charter school
 700 applications are subject to the following requirements:

Page 28 of 198

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hb7055-01-c1

CS/HB 7055

2018

701 (b) A sponsor shall receive and review all applications
 702 for a charter school using the evaluation instrument developed
 703 by the Department of Education. A sponsor shall receive and
 704 consider charter school applications received on or before
 705 August 1 of each calendar year for charter schools to be opened
 706 at the beginning of the school district's next school year, or
 707 to be opened at a time agreed to by the applicant and the
 708 sponsor. A sponsor may not refuse to receive a charter school
 709 application submitted before August 1 and may receive an
 710 application submitted later than August 1 if it chooses.
 711 Beginning in 2018 and thereafter, a sponsor shall receive and
 712 consider charter school applications received on or before
 713 February 1 of each calendar year for charter schools to be
 714 opened 18 months later at the beginning of the school district's
 715 school year, or to be opened at a time agreed to by the
 716 applicant and the sponsor. A sponsor may not refuse to receive a
 717 charter school application submitted before February 1 and may
 718 receive an application submitted later than February 1 if it
 719 chooses. A sponsor may not charge an applicant for a charter any
 720 fee for the processing or consideration of an application, and a
 721 sponsor may not base its consideration or approval of a final
 722 application upon the promise of future payment of any kind.
 723 Before approving or denying any application, the sponsor shall
 724 allow the applicant, upon receipt of written notification, at
 725 least 7 calendar days to make technical or nonsubstantive

Page 29 of 198

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hb7055-01-c1

CS/HB 7055

2018

726 corrections and clarifications, including, but not limited to,
 727 corrections of grammatical, typographical, and like errors or
 728 missing signatures, if such errors are identified by the sponsor
 729 as cause to deny the final application.
 730 1. In order to facilitate an accurate budget projection
 731 process, a sponsor shall be held harmless for FTE students who
 732 are not included in the FTE projection due to approval of
 733 charter school applications after the FTE projection deadline.
 734 In a further effort to facilitate an accurate budget projection,
 735 within 15 calendar days after receipt of a charter school
 736 application, a sponsor shall report to the Department of
 737 Education the name of the applicant entity, the proposed charter
 738 school location, and its projected FTE.
 739 2. In order to ensure fiscal responsibility, an
 740 application for a charter school shall include a full accounting
 741 of expected assets, a projection of expected sources and amounts
 742 of income, including income derived from projected student
 743 enrollments and from community support, and an expense
 744 projection that includes full accounting of the costs of
 745 operation, including start-up costs.
 746 3.a. A sponsor shall by a majority vote approve or deny an
 747 application no later than 90 calendar days after the application
 748 is received, unless the sponsor and the applicant mutually agree
 749 in writing to temporarily postpone the vote to a specific date,
 750 at which time the sponsor shall by a majority vote approve or

Page 30 of 198

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hb7055-01-c1

CS/HB 7055

2018

751 deny the application. If the sponsor fails to act on the
 752 application, an applicant may appeal to the State Board of
 753 Education as provided in paragraph (c). If an application is
 754 denied, the sponsor shall, within 10 calendar days after such
 755 denial, articulate in writing the specific reasons, based upon
 756 good cause, supporting its denial of the application and shall
 757 provide the letter of denial and supporting documentation to the
 758 applicant and to the Department of Education.

759 b. An application submitted by a high-performing charter
 760 school identified pursuant to s. 1002.331 or a high-performing
 761 charter school system identified pursuant to s. 1002.332 may be
 762 denied by the sponsor only if the sponsor demonstrates by clear
 763 and convincing evidence that:

764 (I) The application of a high-performing charter school
 765 does not materially comply with the requirements in paragraph
 766 (a) or, for a high-performing charter school system, the
 767 application does not materially comply with s. 1002.332(2)(b);

768 (II) The charter school proposed in the application does
 769 not materially comply with the requirements in paragraphs
 770 (9)(a)-(f);

771 (III) The proposed charter school's educational program
 772 does not substantially replicate that of the applicant or one of
 773 the applicant's high-performing charter schools;

774 (IV) The applicant has made a material misrepresentation
 775 or false statement or concealed an essential or material fact

Page 31 of 198

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hb7055-01-c1

CS/HB 7055

2018

776 during the application process; or

777 (V) The proposed charter school's educational program and
 778 financial management practices do not materially comply with the
 779 requirements of this section.

780
 781 Material noncompliance is a failure to follow requirements or a
 782 violation of prohibitions applicable to charter school
 783 applications, which failure is quantitatively or qualitatively
 784 significant either individually or when aggregated with other
 785 noncompliance. An applicant is considered to be replicating a
 786 high-performing charter school if the proposed school is
 787 substantially similar to at least one of the applicant's high-
 788 performing charter schools and the organization or individuals
 789 involved in the establishment and operation of the proposed
 790 school are significantly involved in the operation of replicated
 791 schools.

792 c. If the sponsor denies an application submitted by a
 793 high-performing charter school or a high-performing charter
 794 school system, the sponsor must, within 10 calendar days after
 795 such denial, state in writing the specific reasons, based upon
 796 the criteria in sub-subparagraph b., supporting its denial of
 797 the application and must provide the letter of denial and
 798 supporting documentation to the applicant and to the Department
 799 of Education. The applicant may appeal the sponsor's denial of
 800 the application in accordance with paragraph (c).

Page 32 of 198

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hb7055-01-c1

CS/HB 7055

2018

801 4. For budget projection purposes, the sponsor shall
 802 report to the Department of Education the approval or denial of
 803 an application within 10 calendar days after such approval or
 804 denial. In the event of approval, the report to the Department
 805 of Education shall include the final projected FTE for the
 806 approved charter school.

807 5. Upon approval of an application, the initial startup
 808 shall commence with the beginning of the public school calendar
 809 for the district in which the charter is granted. A charter
 810 school may defer the opening of the school's operations for up
 811 to 3 2 years to provide time for adequate facility planning. The
 812 charter school must provide written notice of such intent to the
 813 sponsor and the parents of enrolled students at least 30
 814 calendar days before the first day of school.

815 (7) CHARTER.—The terms and conditions for the operation of
 816 a charter school shall be set forth by the sponsor and the
 817 applicant in a written contractual agreement, called a charter.
 818 The sponsor and the governing board of the charter school shall
 819 use the standard charter contract pursuant to subsection (21),
 820 which shall incorporate the approved application and any addenda
 821 approved with the application. Any term or condition of a
 822 proposed charter contract that differs from the standard charter
 823 contract adopted by rule of the State Board of Education shall
 824 be presumed a limitation on charter school flexibility. The
 825 sponsor may not impose unreasonable rules or regulations that

Page 33 of 198

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hb7055-01-c1

CS/HB 7055

2018

826 violate the intent of giving charter schools greater flexibility
 827 to meet educational goals. The charter shall be signed by the
 828 governing board of the charter school and the sponsor, following
 829 a public hearing to ensure community input.

830 (a) The charter shall address and criteria for approval of
 831 the charter shall be based on:

832 1. The school's mission, the students to be served, and
 833 the ages and grades to be included.

834 2. The focus of the curriculum, the instructional methods
 835 to be used, any distinctive instructional techniques to be
 836 employed, and identification and acquisition of appropriate
 837 technologies needed to improve educational and administrative
 838 performance which include a means for promoting safe, ethical,
 839 and appropriate uses of technology which comply with legal and
 840 professional standards.

841 a. The charter shall ensure that reading is a primary
 842 focus of the curriculum and that resources are provided to
 843 identify and provide specialized instruction for students who
 844 are reading below grade level. The curriculum and instructional
 845 strategies for reading must be consistent with the Next
 846 Generation Sunshine State Standards and grounded in
 847 scientifically based reading research.

848 b. In order to provide students with access to diverse
 849 instructional delivery models, to facilitate the integration of
 850 technology within traditional classroom instruction, and to

Page 34 of 198

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hb7055-01-c1

CS/HB 7055

2018

851 provide students with the skills they need to compete in the
 852 21st century economy, the Legislature encourages instructional
 853 methods for blended learning courses consisting of both
 854 traditional classroom and online instructional techniques.
 855 Charter schools may implement blended learning courses which
 856 combine traditional classroom instruction and virtual
 857 instruction. Students in a blended learning course must be full-
 858 time students of the charter school pursuant to s.
 859 1011.61(1)(a)1. Instructional personnel certified pursuant to s.
 860 1012.55 who provide virtual instruction for blended learning
 861 courses may be employees of the charter school or may be under
 862 contract to provide instructional services to charter school
 863 students. At a minimum, such instructional personnel must hold
 864 an active state or school district adjunct certification under
 865 s. 1012.57 for the subject area of the blended learning course.
 866 The funding and performance accountability requirements for
 867 blended learning courses are the same as those for traditional
 868 courses.

869 3. The current incoming baseline standard of student
 870 academic achievement, the outcomes to be achieved, and the
 871 method of measurement that will be used. The criteria listed in
 872 this subparagraph shall include a detailed description of:

873 a. How the baseline student academic achievement levels
 874 and prior rates of academic progress will be established.

875 b. How these baseline rates will be compared to rates of

Page 35 of 198

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hb7055-01-c1

CS/HB 7055

2018

876 academic progress achieved by these same students while
 877 attending the charter school.

878 c. To the extent possible, how these rates of progress
 879 will be evaluated and compared with rates of progress of other
 880 closely comparable student populations.

881

882 The district school board is required to provide academic
 883 student performance data to charter schools for each of their
 884 students coming from the district school system, as well as
 885 rates of academic progress of comparable student populations in
 886 the district school system.

887 4. The methods used to identify the educational strengths
 888 and needs of students and how well educational goals and
 889 performance standards are met by students attending the charter
 890 school. The methods shall provide a means for the charter school
 891 to ensure accountability to its constituents by analyzing
 892 student performance data and by evaluating the effectiveness and
 893 efficiency of its major educational programs. Students in
 894 charter schools shall, at a minimum, participate in the
 895 statewide assessment program created under s. 1008.22.

896 5. In secondary charter schools, a method for determining
 897 that a student has satisfied the requirements for graduation in
 898 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

899 6. A method for resolving conflicts between the governing
 900 board of the charter school and the sponsor.

Page 36 of 198

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hb7055-01-c1

CS/HB 7055

2018

901 7. The admissions procedures and dismissal procedures,
 902 including the school's code of student conduct. Admission or
 903 dismissal must not be based on a student's academic performance.

904 8. The ways by which the school will achieve a
 905 racial/ethnic balance reflective of the community it serves or
 906 within the racial/ethnic range of other public schools in the
 907 same school district.

908 9. The financial and administrative management of the
 909 school, including a reasonable demonstration of the professional
 910 experience or competence of those individuals or organizations
 911 applying to operate the charter school or those hired or
 912 retained to perform such professional services and the
 913 description of clearly delineated responsibilities and the
 914 policies and practices needed to effectively manage the charter
 915 school. A description of internal audit procedures and
 916 establishment of controls to ensure that financial resources are
 917 properly managed must be included. Both public sector and
 918 private sector professional experience shall be equally valid in
 919 such a consideration.

920 10. The asset and liability projections required in the
 921 application which are incorporated into the charter and shall be
 922 compared with information provided in the annual report of the
 923 charter school.

924 11. A description of procedures that identify various
 925 risks and provide for a comprehensive approach to reduce the

Page 37 of 198

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hb7055-01-c1

CS/HB 7055

2018

926 impact of losses; plans to ensure the safety and security of
 927 students and staff; plans to identify, minimize, and protect
 928 others from violent or disruptive student behavior; and the
 929 manner in which the school will be insured, including whether or
 930 not the school will be required to have liability insurance,
 931 and, if so, the terms and conditions thereof and the amounts of
 932 coverage.

933 12. The term of the charter which shall provide for
 934 cancellation of the charter if insufficient progress has been
 935 made in attaining the student achievement objectives of the
 936 charter and if it is not likely that such objectives can be
 937 achieved before expiration of the charter. The initial term of a
 938 charter shall be for ~~4~~or 5 years, excluding 1 planning year. In
 939 order to facilitate access to long-term financial resources for
 940 charter school construction, charter schools that are operated
 941 by a municipality or other public entity as provided by law are
 942 eligible for up to a 15-year charter, subject to approval by the
 943 district school board. A charter lab school is eligible for a
 944 charter for a term of up to 15 years. In addition, to facilitate
 945 access to long-term financial resources for charter school
 946 construction, charter schools that are operated by a private,
 947 not-for-profit, s. 501(c)(3) status corporation are eligible for
 948 up to a 15-year charter, subject to approval by the district
 949 school board. Such long-term charters remain subject to annual
 950 review and may be terminated during the term of the charter, but

Page 38 of 198

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hb7055-01-c1

CS/HB 7055

2018

951 only according to the provisions set forth in subsection (8).

952 13. The facilities to be used and their location. The
 953 sponsor may not require a charter school to have a certificate
 954 of occupancy or a temporary certificate of occupancy for such a
 955 facility earlier than 15 calendar days before the first day of
 956 school.

957 14. The qualifications to be required of the teachers and
 958 the potential strategies used to recruit, hire, train, and
 959 retain qualified staff to achieve best value.

960 15. The governance structure of the school, including the
 961 status of the charter school as a public or private employer as
 962 required in paragraph (12)(i).

963 16. A timetable for implementing the charter which
 964 addresses the implementation of each element thereof and the
 965 date by which the charter shall be awarded in order to meet this
 966 timetable.

967 17. In the case of an existing public school that is being
 968 converted to charter status, alternative arrangements for
 969 current students who choose not to attend the charter school and
 970 for current teachers who choose not to teach in the charter
 971 school after conversion in accordance with the existing
 972 collective bargaining agreement or district school board rule in
 973 the absence of a collective bargaining agreement. However,
 974 alternative arrangements shall not be required for current
 975 teachers who choose not to teach in a charter lab school, except

Page 39 of 198

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hb7055-01-c1

CS/HB 7055

2018

976 as authorized by the employment policies of the state university
 977 which grants the charter to the lab school.

978 18. Full disclosure of the identity of all relatives
 979 employed by the charter school who are related to the charter
 980 school owner, president, chairperson of the governing board of
 981 directors, superintendent, governing board member, principal,
 982 assistant principal, or any other person employed by the charter
 983 school who has equivalent decisionmaking authority. For the
 984 purpose of this subparagraph, the term "relative" means father,
 985 mother, son, daughter, brother, sister, uncle, aunt, first
 986 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
 987 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
 988 stepfather, stepmother, stepson, stepdaughter, stepbrother,
 989 stepsister, half brother, or half sister.

990 19. Implementation of the activities authorized under s.
 991 1002.331 by the charter school when it satisfies the eligibility
 992 requirements for a high-performing charter school. A high-
 993 performing charter school shall notify its sponsor in writing by
 994 March 1 if it intends to increase enrollment or expand grade
 995 levels the following school year. The written notice shall
 996 specify the amount of the enrollment increase and the grade
 997 levels that will be added, as applicable.

998 (d) A charter may be modified during its initial term or
 999 any renewal term upon the recommendation of the sponsor or the
 1000 charter school's governing board and the approval of both

Page 40 of 198

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hb7055-01-c1

CS/HB 7055

2018

1001 parties to the agreement. Modification during any term may
 1002 include, but is not limited to, consolidation of multiple
 1003 charters into a single charter if the charters are operated
 1004 under the same governing board ~~and physically located on the~~
 1005 ~~same campus~~, regardless of the renewal cycle. A charter school
 1006 with a grade of "C" or higher that closes as part of a
 1007 consolidation shall be reported by the school district as a
 1008 consolidation.

1009 (e) A charter may be terminated by a charter school's
 1010 governing board through voluntary closure. The decision to cease
 1011 operations must be determined at a public meeting. The governing
 1012 board shall notify the parents and sponsor of the public meeting
 1013 in writing before the public meeting. The governing board must
 1014 notify the sponsor, parents of enrolled students, and the
 1015 department in writing within 24 hours after the public meeting
 1016 of its determination. The notice shall state the charter
 1017 school's intent to continue operations or the reason for the
 1018 closure and acknowledge that the governing board agrees to
 1019 follow the procedures for dissolution and reversion of public
 1020 funds pursuant to paragraphs (8) (d)-(f) and (9) (o) ~~paragraphs~~
 1021 ~~(8) (e)-(g) and (9) (e)~~.

1022 (8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.—

1023 (a) The sponsor shall make student academic achievement
 1024 for all students the most important factor when determining
 1025 whether to renew or terminate the charter. The sponsor may also

Page 41 of 198

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hb7055-01-c1

CS/HB 7055

2018

1026 choose not to renew or may terminate the charter if the sponsor
 1027 finds that one of the grounds set forth below exists by clear
 1028 and convincing evidence ~~for any of the following grounds:~~

1029 1. Failure to participate in the state's education
 1030 accountability system created in s. 1008.31, as required in this
 1031 section, or failure to meet the requirements for student
 1032 performance stated in the charter.

1033 2. Failure to meet generally accepted standards of fiscal
 1034 management.

1035 3. Material violation of law.

1036 4. Other good cause shown.

1037 (b) At least 90 days before renewing, nonrenewing, or
 1038 terminating a charter, the sponsor shall notify the governing
 1039 board of the school of the proposed action in writing. The
 1040 notice shall state in reasonable detail the grounds for the
 1041 proposed action and stipulate that the school's governing board
 1042 may, within 14 calendar days after receiving the notice, request
 1043 a hearing. The hearing shall be conducted ~~at the sponsor's~~
 1044 ~~election in accordance with one of the following procedures:~~

1045 1. ~~A direct hearing conducted by the sponsor within 60~~
 1046 ~~days after receipt of the request for a hearing. The hearing~~
 1047 ~~shall be conducted in accordance with ss. 120.569 and 120.57.~~

1048 ~~The sponsor shall decide upon nonrenewal or termination by a~~
 1049 ~~majority vote. The sponsor's decision shall be a final order, or~~

1050 2. ~~A hearing conducted~~ by an administrative law judge

Page 42 of 198

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hb7055-01-c1

CS/HB 7055

2018

1051 assigned by the Division of Administrative Hearings. The hearing
 1052 shall be conducted within 90 ~~60~~ days after receipt of the
 1053 request for a hearing and in accordance with chapter 120. The
 1054 administrative law judge's final recommended order shall be
 1055 submitted to the sponsor. The administrative law judge shall
 1056 award the prevailing party reasonable attorney fees and costs
 1057 incurred during the administrative proceeding and any appeals. A
 1058 majority vote by the sponsor shall be required to adopt or
 1059 modify the administrative law judge's recommended order. The
 1060 sponsor shall issue a final order.
 1061 ~~(c) The final order shall state the specific reasons for~~
 1062 ~~the sponsor's decision. The sponsor shall provide its final~~
 1063 ~~order to the charter school's governing board and the Department~~
 1064 ~~of Education no later than 10 calendar days after its issuance.~~
 1065 The charter school's governing board may, within 30 calendar
 1066 days after receiving the ~~sponsor's~~ final order, appeal the
 1067 decision pursuant to s. 120.68.
 1068 (9) CHARTER SCHOOL REQUIREMENTS.—
 1069 (n)1. The director and a representative of the governing
 1070 board of a charter school that has earned a grade of "D" or "F"
 1071 pursuant to s. 1008.34 shall appear before the sponsor to
 1072 present information concerning each contract component having
 1073 noted deficiencies. The director and a representative of the
 1074 governing board shall submit to the sponsor for approval a
 1075 school improvement plan to raise student performance. Upon

Page 43 of 198

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hb7055-01-c1

CS/HB 7055

2018

1076 approval by the sponsor, the charter school shall begin
 1077 implementation of the school improvement plan. The department
 1078 shall offer technical assistance and training to the charter
 1079 school and its governing board and establish guidelines for
 1080 developing, submitting, and approving such plans.
 1081 2.a. If a charter school earns three consecutive grades
 1082 below a "C," the charter school governing board shall choose one
 1083 of the following corrective actions:
 1084 (I) Contract for educational services to be provided
 1085 directly to students, instructional personnel, and school
 1086 administrators, as prescribed in state board rule;
 1087 (II) Contract with an outside entity that has a
 1088 demonstrated record of effectiveness to operate the school;
 1089 (III) Reorganize the school under a new director or
 1090 principal who is authorized to hire new staff; or
 1091 (IV) Voluntarily close the charter school.
 1092 b. The charter school must implement the corrective action
 1093 in the school year following receipt of a third consecutive
 1094 grade below a "C."
 1095 c. The sponsor may annually waive a corrective action if
 1096 it determines that the charter school is likely to improve a
 1097 letter grade if additional time is provided to implement the
 1098 intervention and support strategies prescribed by the school
 1099 improvement plan. Notwithstanding this sub-subparagraph, a
 1100 charter school that earns a second consecutive grade of "F" is

Page 44 of 198

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hb7055-01-c1

CS/HB 7055

2018

1101 subject to subparagraph 3.

1102 d. A charter school is no longer required to implement a
1103 corrective action if it improves to a "C" or higher. However,
1104 the charter school must continue to implement strategies
1105 identified in the school improvement plan. The sponsor must
1106 annually review implementation of the school improvement plan to
1107 monitor the school's continued improvement pursuant to
1108 subparagraph 4.

1109 e. A charter school implementing a corrective action that
1110 does not improve to a "C" or higher after 2 full school years of
1111 implementing the corrective action must select a different
1112 corrective action. Implementation of the new corrective action
1113 must begin in the school year following the implementation
1114 period of the existing corrective action, unless the sponsor
1115 determines that the charter school is likely to improve to a "C"
1116 or higher if additional time is provided to implement the
1117 existing corrective action. Notwithstanding this sub-
1118 subparagraph, a charter school that earns a second consecutive
1119 grade of "F" while implementing a corrective action is subject
1120 to subparagraph 3.

1121 3. A charter school's charter contract is automatically
1122 terminated if the school earns two consecutive grades of "F"
1123 after all school grade appeals are final unless:

1124 a. The charter school is established to turn around the
1125 performance of a district public school pursuant to s.

Page 45 of 198

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hb7055-01-c1

CS/HB 7055

2018

1126 1008.33(4)(b)2. Such charter schools shall be governed by s.
1127 1008.33;

1128 b. The charter school serves a student population the
1129 majority of which resides in a school zone served by a district
1130 public school subject to s. 1008.33(4) and the charter school
1131 earns at least a grade of "D" in its third year of operation.
1132 The exception provided under this sub-subparagraph does not
1133 apply to a charter school in its fourth year of operation and
1134 thereafter; or

1135 c. The state board grants the charter school a waiver of
1136 termination. The charter school must request the waiver within
1137 15 days after the department's official release of school
1138 grades. The state board may waive termination if the charter
1139 school demonstrates that the Learning Gains of its students on
1140 statewide assessments are comparable to or better than the
1141 Learning Gains of similarly situated students enrolled in nearby
1142 district public schools. The waiver is valid for 1 year and may
1143 only be granted once. Charter schools that have been in
1144 operation for more than 5 years are not eligible for a waiver
1145 under this sub-subparagraph.

1146
1147 The sponsor shall notify the charter school's governing board,
1148 the charter school principal, and the department in writing when
1149 a charter contract is terminated under this subparagraph. ~~The~~
1150 ~~letter of termination must meet the requirements of paragraph~~

Page 46 of 198

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hb7055-01-c1

CS/HB 7055

2018

1151 ~~(8)(e).~~ A charter terminated under this subparagraph must follow
 1152 the procedures for dissolution and reversion of public funds
 1153 pursuant to paragraphs (8)(d)-(f) and (9)(o) ~~paragraphs (8)(e)-~~
 1154 ~~(g) and (9)(o).~~

1155 4. The director and a representative of the governing
 1156 board of a graded charter school that has implemented a school
 1157 improvement plan under this paragraph shall appear before the
 1158 sponsor at least once a year to present information regarding
 1159 the progress of intervention and support strategies implemented
 1160 by the school pursuant to the school improvement plan and
 1161 corrective actions, if applicable. The sponsor shall communicate
 1162 at the meeting, and in writing to the director, the services
 1163 provided to the school to help the school address its
 1164 deficiencies.

1165 5. Notwithstanding any provision of this paragraph except
 1166 sub-subparagraphs 3.a.-c., the sponsor may terminate the charter
 1167 at any time pursuant to subsection (8).

1168 (20) SERVICES.—

1169 (b) If goods and services are made available to the
 1170 charter school through the contract with the school district,
 1171 they shall be provided to the charter school at a rate no
 1172 greater than the district's actual cost unless mutually agreed
 1173 upon by the charter school and the sponsor in a contract
 1174 negotiated separately from the charter. When mediation has
 1175 failed to resolve disputes over contracted services or

Page 47 of 198

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hb7055-01-c1

CS/HB 7055

2018

1176 contractual matters not included in the charter, an appeal may
 1177 be made to an administrative law judge appointed by the Division
 1178 of Administrative Hearings. The administrative law judge has
 1179 final order authority to rule on the dispute. The administrative
 1180 law judge shall award the prevailing party reasonable attorney
 1181 fees and costs incurred during the mediation process,
 1182 administrative proceeding, and any appeals, to be paid by the
 1183 party whom the administrative law judge rules against ~~for a~~
 1184 ~~dispute resolution hearing before the Charter School Appeal~~
 1185 ~~Commission.~~ To maximize the use of state funds, school districts
 1186 shall allow charter schools to participate in the sponsor's bulk
 1187 purchasing program if applicable.

1188 Section 17. Subsection (1), paragraph (a) of subsection
 1189 (2), and paragraph (b) of subsection (3) of section 1002.331,
 1190 Florida Statutes, are amended to read:

1191 1002.331 High-performing charter schools.—

1192 (1) A charter school is a high-performing charter school
 1193 if it:

1194 (a) Received at least two school grades of "A" and no
 1195 school grade below "B," pursuant to s. 1008.34, during each of
 1196 the previous 3 school years or received at least two consecutive
 1197 school grades of "A" in the most recent 2 school years.

1198 (b) Received an unqualified opinion on each annual
 1199 financial audit required under s. 218.39 in the most recent 3
 1200 fiscal years for which such audits are available.

Page 48 of 198

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hb7055-01-c1

CS/HB 7055

2018

1201 (c) Did not receive a financial audit that revealed one or
 1202 more of the financial emergency conditions set forth in s.
 1203 218.503(1) in the most recent 3 fiscal years for which such
 1204 audits are available. However, this requirement is deemed met
 1205 for a charter school-in-the-workplace if there is a finding in
 1206 an audit that the school has the monetary resources available to
 1207 cover any reported deficiency or that the deficiency does not
 1208 result in a deteriorating financial condition pursuant to s.
 1209 1002.345(1)(a)3.

1210

1211 For purposes of determining initial eligibility, the
 1212 requirements of paragraphs (b) and (c) only apply for the most
 1213 recent 2 fiscal years if the charter school earns two
 1214 consecutive grades of "A." A virtual charter school established
 1215 under s. 1002.33 is not eligible for designation as a high-
 1216 performing charter school.

1217 (2) A high-performing charter school is authorized to:

1218 (a) Increase its student enrollment once per school year
 1219 to more than the capacity identified in the charter, but student
 1220 enrollment may not exceed the ~~current-facility~~ capacity of the
 1221 facility at the time of enrollment. Facility capacity for
 1222 purposes of grade level expansion shall include any improvements
 1223 to an existing facility or any new facility in which a majority
 1224 of the students of the high-performing charter school will
 1225 enroll.

Page 49 of 198

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hb7055-01-c1

CS/HB 7055

2018

1226
 1227 A high-performing charter school shall notify its sponsor in
 1228 writing by March 1 if it intends to increase enrollment or
 1229 expand grade levels the following school year. The written
 1230 notice shall specify the amount of the enrollment increase and
 1231 the grade levels that will be added, as applicable. If a charter
 1232 school notifies the sponsor of its intent to expand, the sponsor
 1233 shall modify the charter within 90 days to include the new
 1234 enrollment maximum and may not make any other changes. The
 1235 sponsor may deny a request to increase the enrollment of a high-
 1236 performing charter school if the commissioner has declassified
 1237 the charter school as high-performing. If a high-performing
 1238 charter school requests to consolidate multiple charters, the
 1239 sponsor shall have 40 days after receipt of that request to
 1240 provide an initial draft charter to the charter school. The
 1241 sponsor and charter school shall have 50 days thereafter to
 1242 negotiate and notice the charter contract for final approval by
 1243 the sponsor.

1244 (3)

1245 (b) A high-performing charter school may not establish
 1246 more than two ~~one~~ charter schools ~~school~~ within the state under
 1247 paragraph (a) in any year. A subsequent application to establish
 1248 a charter school under paragraph (a) may not be submitted unless
 1249 each charter school established in this manner achieves high-
 1250 performing charter school status. However, a high-performing

Page 50 of 198

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hb7055-01-c1

CS/HB 7055

2018

1251 charter school may establish more than one charter school within
 1252 the state under paragraph (a) in any year if it operates in the
 1253 area of a persistently low-performing school and serves students
 1254 from that school.

1255 Section 18. Paragraph (d) is added to subsection (10) of
 1256 section 1002.333, Florida Statutes, to read:

1257 1002.333 Persistently low-performing schools.—

1258 (10) SCHOOLS OF HOPE PROGRAM.—The Schools of Hope Program
 1259 is created within the Department of Education.

1260 (d) Notwithstanding s. 216.301 and pursuant to s. 216.351,
 1261 funds allocated for the purpose of this subsection which are not
 1262 disbursed by June 30 of the fiscal year in which the funds are
 1263 allocated may be carried forward for up to 5 years after the
 1264 effective date of the original appropriation.

1265 Section 19. Paragraph (b) of subsection (1) and present
 1266 paragraph (c) of subsection (9) of section 1002.37, Florida
 1267 Statutes, are amended, and a new paragraph (c) is added to
 1268 subsection (9) of that section, to read:

1269 1002.37 The Florida Virtual School.—

1270 (1)

1271 (b) The mission of the Florida Virtual School is to
 1272 provide students with technology-based educational opportunities
 1273 to gain the knowledge and skills necessary to succeed. The
 1274 school shall serve any student in the state who meets the
 1275 profile for success in this educational delivery context and

Page 51 of 198

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hb7055-01-c1

CS/HB 7055

2018

1276 shall give priority to:

1277 1. Students who need expanded access to courses in order
 1278 to meet their educational goals, such as home education students
 1279 and students in inner-city and rural high schools who do not
 1280 have access to higher-level courses.

1281 2. Students seeking accelerated access in order to obtain
 1282 a high school diploma at least one semester early.

1283 3. Students who are children of an active duty member of
 1284 the United States Armed Forces who is not stationed in this
 1285 state whose home of record or state of legal residence is
 1286 Florida.

1287 The board of trustees of the Florida Virtual School shall
 1288 identify appropriate performance measures and standards based on
 1289 student achievement that reflect the school's statutory mission
 1290 and priorities, and shall implement an accountability system for
 1291 the school that includes assessment of its effectiveness and
 1292 efficiency in providing quality services that encourage high
 1293 student achievement, seamless articulation, and maximum access.

1295 (9)

1296 (c) Industry certification examinations, national
 1297 assessments, and statewide assessments offered by the school
 1298 district shall be available to all Florida Virtual School
 1299 students.

1300 (d) (e) Unless an alternative testing site is mutually

Page 52 of 198

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hb7055-01-c1

CS/HB 7055

2018

1301 agreed to by the Florida Virtual School and the school district
 1302 or as contracted under s. 1008.24, all industry certification
 1303 examinations, national assessments, and statewide assessments
 1304 must be taken at the school to which the student would be
 1305 assigned according to district school board attendance areas. A
 1306 school district must provide the student with access to the
 1307 school's testing facilities and the date and time of the
 1308 administration of each examination or assessment.

1309 Section 20. Paragraph (e) of subsection (2), paragraphs
 1310 (d) and (h) of subsection (5), subsection (8), paragraph (c) of
 1311 subsection (9), paragraph (a) of subsection (10), and paragraph
 1312 (a) of subsection (11) of section 1002.385, Florida Statutes,
 1313 are amended, and paragraph (p) is added to subsection (5) of
 1314 that section, to read:

1315 1002.385 The Gardiner Scholarship.—

1316 (2) DEFINITIONS.—As used in this section, the term:

1317 (e) "Eligible nonprofit scholarship-funding organization"
 1318 or "organization" means a nonprofit scholarship-funding
 1319 organization that is approved pursuant to s. 1002.395(15) ~~or~~
 1320 ~~1002.395(16)~~.

1321 (5) AUTHORIZED USES OF PROGRAM FUNDS.—Program funds must
 1322 be used to meet the individual educational needs of an eligible
 1323 student and may be spent for the following purposes:

1324 (d) ~~Enrollment in, or~~ Tuition or fees associated with
 1325 full-time or part-time enrollment in, a home education program,

Page 53 of 198

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hb7055-01-c1

CS/HB 7055

2018

1326 an eligible private school, an eligible postsecondary
 1327 educational institution or a program offered by the
 1328 postsecondary institution, a private tutoring program authorized
 1329 under s. 1002.43, a virtual program offered by a department-
 1330 approved private online provider that meets the provider
 1331 qualifications specified in s. 1002.45(2)(a), the Florida
 1332 Virtual School as a private paying student, or an approved
 1333 online course offered pursuant to s. 1003.499 or s. 1004.0961.

1334 (h) Tuition and fees for part-time tutoring services
 1335 provided by a person who holds a valid Florida educator's
 1336 certificate pursuant to s. 1012.56; a person who holds an
 1337 adjunct teaching certificate pursuant to s. 1012.57; a person
 1338 who has a bachelor's degree or a graduate degree in the subject
 1339 area in which instruction is given; or a person who has
 1340 demonstrated a mastery of subject area knowledge pursuant to s.
 1341 1012.56(5). As used in this paragraph, the term "part-time
 1342 tutoring services" does not qualify as regular school attendance
 1343 as defined in s. 1003.01(13)(e).

1344 (p) Tuition or fees associated with enrollment in a
 1345 nationally or internationally recognized research-based training
 1346 program for a child with a neurological disorder or brain
 1347 damage.

1349 A provider of any services receiving payments pursuant to this
 1350 subsection may not share, refund, or rebate any moneys from the

Page 54 of 198

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hb7055-01-c1

CS/HB 7055

2018

1351 Gardiner Scholarship with the parent or participating student in
 1352 any manner. A parent, student, or provider of any services may
 1353 not bill an insurance company, Medicaid, or any other agency for
 1354 the same services that are paid for using Gardiner Scholarship
 1355 funds.

1356 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An
 1357 eligible private school may be sectarian or nonsectarian and
 1358 shall:

1359 (a) Comply with all requirements for private schools
 1360 participating in state school choice scholarship programs
 1361 pursuant to s. 1002.421.

1362 ~~(b) Provide to the organization, upon request, all~~
 1363 ~~documentation required for the student's participation,~~
 1364 ~~including the private school's and student's fee schedules.~~

1365 ~~(c) Be academically accountable to the parent for meeting~~
 1366 ~~the educational needs of the student by:~~

1367 ~~1. At a minimum, annually providing to the parent a~~
 1368 ~~written explanation of the student's progress.~~

1369 ~~(b)1.2.~~ Annually administer or make administering or
 1370 ~~making~~ provision for students participating in the program in
 1371 grades 3 through 10 to take one of the nationally norm-
 1372 referenced tests identified by the Department of Education or
 1373 the statewide assessments pursuant to s. 1008.22. Students with
 1374 disabilities for whom standardized testing is not appropriate
 1375 are exempt from this requirement. A participating private school

Page 55 of 198

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hb7055-01-c1

CS/HB 7055

2018

1376 shall report a student's scores to the parent.

1377 ~~2.3. Administer Cooperating with the scholarship student~~
 1378 ~~whose parent chooses to have the student participate in the~~
 1379 ~~statewide assessments pursuant to s. 1008.22 or, if a private~~
 1380 ~~school chooses to offer the statewide assessments, administering~~
 1381 ~~the assessments at the school.~~

1382 ~~a.~~ A participating private school may choose to offer and
 1383 administer the statewide assessments to all students who attend
 1384 the private school in grades 3 through 10 and must.

1385 ~~b.~~ A participating private school shall submit a request
 1386 in writing to the Department of Education by March 1 of each
 1387 year in order to administer the statewide assessments in the
 1388 subsequent school year.

1389 ~~(d) Employ or contract with teachers who have regular and~~
 1390 ~~direct contact with each student receiving a scholarship under~~
 1391 ~~this section at the school's physical location.~~

1392 ~~(e) Provide a report from an independent certified public~~
 1393 ~~accountant who performs the agreed-upon procedures developed~~
 1394 ~~under s. 1002.395(6)(c) if the private school receives more than~~
 1395 ~~\$250,000 in funds from scholarships awarded under this section~~
 1396 ~~in a state fiscal year. A private school subject to this~~
 1397 ~~paragraph must annually submit the report by September 15 to the~~
 1398 ~~organization that awarded the majority of the school's~~
 1399 ~~scholarship funds. The agreed-upon procedures must be conducted~~
 1400 ~~in accordance with attestation standards established by the~~

Page 56 of 198

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hb7055-01-c1

CS/HB 7055

2018

1401 ~~American Institute of Certified Public Accountants.~~
 1402
 1403 If a private school fails is unable to meet the requirements of
 1404 this subsection or s. 1002.421 ~~or has consecutive years of~~
 1405 ~~material exceptions listed in the report required under~~
 1406 ~~paragraph (e),~~ the commissioner may determine that the private
 1407 school is ineligible to participate in the scholarship program.
 1408 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department
 1409 shall:
 1410 (c) Investigate any written complaint of a violation of
 1411 this section by a parent, a student, a private school, a public
 1412 school or a school district, an organization, a provider, or
 1413 another appropriate party in accordance with the process
 1414 established by s. 1002.421 ~~s. 1002.395(9) (f)~~.
 1415 (10) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—
 1416 (a) The Commissioner of Education:
 1417 1. May suspend or revoke program participation or use of
 1418 program funds by the student or participation or eligibility of
 1419 an organization, ~~eligible private school,~~ eligible postsecondary
 1420 educational institution, approved provider, or other party for a
 1421 violation of this section.
 1422 2. May determine the length of, and conditions for
 1423 lifting, a suspension or revocation specified in this
 1424 subsection.
 1425 3. May recover unexpended program funds or withhold

Page 57 of 198

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hb7055-01-c1

CS/HB 7055

2018

1426 payment of an equal amount of program funds to recover program
 1427 funds that were not authorized for use.
 1428 4. Shall deny or terminate program participation upon a
 1429 parent's forfeiture of a Gardiner Scholarship pursuant to
 1430 subsection (11).
 1431 (11) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
 1432 PARTICIPATION.—A parent who applies for program participation
 1433 under this section is exercising his or her parental option to
 1434 determine the appropriate placement or the services that best
 1435 meet the needs of his or her child. The scholarship award for a
 1436 student is based on a matrix that assigns the student to support
 1437 Level III services. If a parent receives an IEP and a matrix of
 1438 services from the school district pursuant to subsection (7),
 1439 the amount of the payment shall be adjusted as needed, when the
 1440 school district completes the matrix.
 1441 (a) To satisfy or maintain program eligibility, including
 1442 eligibility to receive and spend program payments, the parent
 1443 must sign an agreement with the organization and annually submit
 1444 a notarized, sworn compliance statement to the organization to:
 1445 1. Affirm that the student is enrolled in a program that
 1446 meets regular school attendance requirements as provided in s.
 1447 1003.01(13)(b)-(d).
 1448 2. Affirm that the program funds are used only for
 1449 authorized purposes serving the student's educational needs, as
 1450 described in subsection (5).

Page 58 of 198

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hb7055-01-c1

CS/HB 7055

2018

1451 3. Affirm that the parent is responsible for the education
1452 of his or her student by, as applicable:

1453 a. Requiring the student to take an assessment in
1454 accordance with paragraph (8) (b) ~~paragraph (8) (c)~~;

1455 b. Providing an annual evaluation in accordance with s.
1456 1002.41(1)(c); or

1457 c. Requiring the child to take any preassessments and
1458 postassessments selected by the provider if the child is 4 years
1459 of age and is enrolled in a program provided by an eligible
1460 Voluntary Prekindergarten Education Program provider. A student
1461 with disabilities for whom a preassessment and postassessment is
1462 not appropriate is exempt from this requirement. A participating
1463 provider shall report a student's scores to the parent.

1464 4. Affirm that the student remains in good standing with
1465 the provider or school if those options are selected by the
1466 parent.

1467
1468 A parent who fails to comply with this subsection forfeits the
1469 Gardiner Scholarship.

1470 Section 21. Subsections (8) through (14) of section
1471 1002.39, Florida Statutes, are renumbered as subsections (7)
1472 through (13), respectively, and paragraph (b) of subsection (2),
1473 paragraph (h) of subsection (3), and present subsections (6),
1474 (7), and (8) of that section are amended to read:

1475 1002.39 The John M. McKay Scholarships for Students with

Page 59 of 198

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hb7055-01-c1

CS/HB 7055

2018

1476 Disabilities Program.—There is established a program that is
1477 separate and distinct from the Opportunity Scholarship Program
1478 and is named the John M. McKay Scholarships for Students with
1479 Disabilities Program.

1480 (2) JOHN M. MCKAY SCHOLARSHIP ELIGIBILITY.—The parent of a
1481 student with a disability may request and receive from the state
1482 a John M. McKay Scholarship for the child to enroll in and
1483 attend a private school in accordance with this section if:

1484 (b) The parent has obtained acceptance for admission of
1485 the student to a private school that is eligible for the program
1486 under subsection (7) ~~subsection (8)~~ and has requested from the
1487 department a scholarship at least 60 days before the date of the
1488 first scholarship payment. The request must be communicated
1489 directly to the department in a manner that creates a written or
1490 electronic record of the request and the date of receipt of the
1491 request. The department must notify the district of the parent's
1492 intent upon receipt of the parent's request.

1493 (3) JOHN M. MCKAY SCHOLARSHIP PROHIBITIONS.—A student is
1494 not eligible for a John M. McKay Scholarship:

1495 (h) While he or she is not having regular and direct
1496 contact with his or her private school teachers at the school's
1497 physical location unless he or she is enrolled in the private
1498 school's transition-to-work program pursuant to subsection (9)
1499 ~~subsection (10)~~; or

1500 (6) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department

Page 60 of 198

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hb7055-01-c1

CS/HB 7055

2018

1501 shall+
 1502 ~~(a) Establish a toll-free hotline that provides parents~~
 1503 ~~and private schools with information on participation in the~~
 1504 ~~John M. McKay Scholarships for Students with Disabilities~~
 1505 ~~Program.~~
 1506 ~~(b) Annually verify the eligibility of private schools~~
 1507 ~~that meet the requirements of subsection (8).~~
 1508 ~~(c) Establish a process by which individuals may notify~~
 1509 ~~the department of any violation by a parent, private school, or~~
 1510 ~~school district of state laws relating to program participation.~~
 1511 ~~The department shall conduct an inquiry of any written complaint~~
 1512 ~~of a violation of this section, or make a referral to the~~
 1513 ~~appropriate agency for an investigation, if the complaint is~~
 1514 ~~signed by the complainant and is legally sufficient. A complaint~~
 1515 ~~is legally sufficient if it contains ultimate facts that show~~
 1516 ~~that a violation of this section or any rule adopted by the~~
 1517 ~~State Board of Education has occurred. In order to determine~~
 1518 ~~legal sufficiency, the department may require supporting~~
 1519 ~~information or documentation from the complainant. A department~~
 1520 ~~inquiry is not subject to the requirements of chapter 120.~~
 1521 ~~(d) Require an annual, notarized, sworn compliance~~
 1522 ~~statement by participating private schools certifying compliance~~
 1523 ~~with state laws and shall retain such records.~~
 1524 ~~(e) cross-check the list of participating scholarship~~
 1525 ~~students with the public school enrollment lists prior to each~~

Page 61 of 198

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hb7055-01-c1

CS/HB 7055

2018

1526 scholarship payment to avoid duplication.
 1527 ~~(f) 1. Conduct random site visits to private schools~~
 1528 ~~participating in the John M. McKay Scholarships for Students~~
 1529 ~~with Disabilities Program. The purpose of the site visits is~~
 1530 ~~solely to verify the information reported by the schools~~
 1531 ~~concerning the enrollment and attendance of students, the~~
 1532 ~~credentials of teachers, background screening of teachers, and~~
 1533 ~~teachers' fingerprinting results, which information is required~~
 1534 ~~by rules of the State Board of Education, subsection (8), and s.~~
 1535 ~~1002.421. The Department of Education may not make more than~~
 1536 ~~three random site visits each year and may not make more than~~
 1537 ~~one random site visit each year to the same private school.~~
 1538 ~~2. Annually, by December 15, report to the Governor, the~~
 1539 ~~President of the Senate, and the Speaker of the House of~~
 1540 ~~Representatives the Department of Education's actions with~~
 1541 ~~respect to implementing accountability in the scholarship~~
 1542 ~~program under this section and s. 1002.421, any substantiated~~
 1543 ~~allegations or violations of law or rule by an eligible private~~
 1544 ~~school under this program concerning the enrollment and~~
 1545 ~~attendance of students, the credentials of teachers, background~~
 1546 ~~screening of teachers, and teachers' fingerprinting results and~~
 1547 ~~the corrective action taken by the Department of Education.~~
 1548 ~~(7) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.~~
 1549 ~~(a) The Commissioner of Education:~~
 1550 ~~1. Shall deny, suspend, or revoke a private school's~~

Page 62 of 198

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hb7055-01-c1

CS/HB 7055

2018

1551 ~~participation in the scholarship program if it is determined~~
 1552 ~~that the private school has failed to comply with the provisions~~
 1553 ~~of this section. However, if the noncompliance is correctable~~
 1554 ~~within a reasonable amount of time and if the health, safety, or~~
 1555 ~~welfare of the students is not threatened, the commissioner may~~
 1556 ~~issue a notice of noncompliance which provides the private~~
 1557 ~~school with a timeframe within which to provide evidence of~~
 1558 ~~compliance before taking action to suspend or revoke the private~~
 1559 ~~school's participation in the scholarship program.~~

1560 ~~2. May deny, suspend, or revoke a private school's~~
 1561 ~~participation in the scholarship program if the commissioner~~
 1562 ~~determines that an owner or operator of the private school is~~
 1563 ~~operating or has operated an educational institution in this~~
 1564 ~~state or in another state or jurisdiction in a manner contrary~~
 1565 ~~to the health, safety, or welfare of the public.~~

1566 ~~a. In making such a determination, the commissioner may~~
 1567 ~~consider factors that include, but are not limited to, acts or~~
 1568 ~~omissions by an owner or operator which led to a previous denial~~
 1569 ~~or revocation of participation in an education scholarship~~
 1570 ~~program; an owner's or operator's failure to reimburse the~~
 1571 ~~Department of Education for scholarship funds improperly~~
 1572 ~~received or retained by a school; imposition of a prior criminal~~
 1573 ~~sanction related to an owner's or operator's management or~~
 1574 ~~operation of an educational institution; imposition of a civil~~
 1575 ~~fine or administrative fine, license revocation or suspension,~~

Page 63 of 198

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hb7055-01-c1

CS/HB 7055

2018

1576 ~~or program eligibility suspension, termination, or revocation~~
 1577 ~~related to an owner's or operator's management or operation of~~
 1578 ~~an educational institution; or other types of criminal~~
 1579 ~~proceedings in which an owner or operator was found guilty of,~~
 1580 ~~regardless of adjudication, or entered a plea of nolo contendere~~
 1581 ~~or guilty to, any offense involving fraud, deceit, dishonesty,~~
 1582 ~~or moral turpitude.~~

1583 ~~b. For purposes of this subparagraph, the term "owner or~~
 1584 ~~operator" includes an owner, operator, superintendent, or~~
 1585 ~~principal of, or a person who has equivalent decisionmaking~~
 1586 ~~authority over, a private school participating in the~~
 1587 ~~scholarship program.~~

1588 ~~(b) The commissioner's determination is subject to the~~
 1589 ~~following:~~

1590 ~~1. If the commissioner intends to deny, suspend, or revoke~~
 1591 ~~a private school's participation in the scholarship program, the~~
 1592 ~~department shall notify the private school of such proposed~~
 1593 ~~action in writing by certified mail and regular mail to the~~
 1594 ~~private school's address of record with the department. The~~
 1595 ~~notification shall include the reasons for the proposed action~~
 1596 ~~and notice of the timelines and procedures set forth in this~~
 1597 ~~paragraph.~~

1598 ~~2. The private school that is adversely affected by the~~
 1599 ~~proposed action shall have 15 days from receipt of the notice of~~
 1600 ~~proposed action to file with the department's agency clerk a~~

Page 64 of 198

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hb7055-01-c1

CS/HB 7055

2018

1601 ~~request for a proceeding pursuant to ss. 120.569 and 120.57. If~~
 1602 ~~the private school is entitled to a hearing under s. 120.57(1),~~
 1603 ~~the department shall forward the request to the Division of~~
 1604 ~~Administrative Hearings.~~

1605 ~~3. Upon receipt of a request referred pursuant to this~~
 1606 ~~paragraph, the director of the Division of Administrative~~
 1607 ~~Hearings shall expedite the hearing and assign an administrative~~
 1608 ~~law judge who shall commence a hearing within 30 days after the~~
 1609 ~~receipt of the formal written request by the division and enter~~
 1610 ~~a recommended order within 30 days after the hearing or within~~
 1611 ~~30 days after receipt of the hearing transcript, whichever is~~
 1612 ~~later. Each party shall be allowed 10 days in which to submit~~
 1613 ~~written exceptions to the recommended order. A final order shall~~
 1614 ~~be entered by the agency within 30 days after the entry of a~~
 1615 ~~recommended order. The provisions of this subparagraph may be~~
 1616 ~~waived upon stipulation by all parties.~~

1617 ~~(e) The commissioner may immediately suspend payment of~~
 1618 ~~scholarship funds if it is determined that there is probable~~
 1619 ~~cause to believe that there is:~~

1620 ~~1. An imminent threat to the health, safety, or welfare of~~
 1621 ~~the students; or~~

1622 ~~2. Fraudulent activity on the part of the private school.~~
 1623 ~~Notwithstanding s. 1002.22, in incidents of alleged fraudulent~~
 1624 ~~activity pursuant to this section, the Department of Education's~~
 1625 ~~Office of Inspector General is authorized to release personally~~

Page 65 of 198

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hb7055-01-c1

CS/HB 7055

2018

1626 ~~identifiable records or reports of students to the following~~
 1627 ~~persons or organizations:~~

1628 ~~a. A court of competent jurisdiction in compliance with an~~
 1629 ~~order of that court or the attorney of record in accordance with~~
 1630 ~~a lawfully issued subpoena, consistent with the Family~~
 1631 ~~Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.~~

1632 ~~b. A person or entity authorized by a court of competent~~
 1633 ~~jurisdiction in compliance with an order of that court or the~~
 1634 ~~attorney of record pursuant to a lawfully issued subpoena,~~
 1635 ~~consistent with the Family Educational Rights and Privacy Act,~~
 1636 ~~20 U.S.C. s. 1232g.~~

1637 ~~c. Any person, entity, or authority issuing a subpoena for~~
 1638 ~~law enforcement purposes when the court or other issuing agency~~
 1639 ~~has ordered that the existence or the contents of the subpoena~~
 1640 ~~or the information furnished in response to the subpoena not be~~
 1641 ~~disclosed, consistent with the Family Educational Rights and~~
 1642 ~~Privacy Act, 20 U.S.C. s. 1232g, and 34 C.F.R. s. 99.31.~~

1643 ~~The commissioner's order suspending payment pursuant to this~~
 1644 ~~paragraph may be appealed pursuant to the same procedures and~~
 1645 ~~timelines as the notice of proposed action set forth in~~
 1646 ~~paragraph (b).~~

1647 ~~(7)(8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—To be~~
 1648 ~~eligible to participate in the John M. McKay Scholarships for~~
 1649 ~~Students with Disabilities Program, a private school may be~~
 1650

Page 66 of 198

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hb7055-01-c1

CS/HB 7055

2018

1651 sectarian or nonsectarian and must:

1652 (a) Comply with all requirements for private schools
1653 participating in state school choice scholarship programs
1654 pursuant to s. 1002.421.

1655 (b) Provide to the department all documentation required
1656 for a student's participation, including the private school's
1657 and student's fee schedules, at least 30 days before any
1658 quarterly scholarship payment is made for the student pursuant
1659 to paragraph (10)(e) ~~paragraph (11)(e)~~. A student is not
1660 eligible to receive a quarterly scholarship payment if the
1661 private school fails to meet this deadline.

1662 ~~(c) Be academically accountable to the parent for meeting~~
1663 ~~the educational needs of the student by:~~

1664 ~~1. At a minimum, annually providing to the parent a~~
1665 ~~written explanation of the student's progress.~~

1666 ~~2. Cooperating with the scholarship student whose parent~~
1667 ~~chooses to participate in the statewide assessments pursuant to~~
1668 ~~s. 1008.22.~~

1669 ~~(d) Maintain in this state a physical location where a~~
1670 ~~scholarship student regularly attends classes.~~

1671

1672 If The inability of a private school fails to meet the
1673 requirements of this subsection or s. 1002.421, the commissioner
1674 may determine that the private school is ineligible shall
1675 constitute a basis for the ineligibility of the private school

Page 67 of 198

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hb7055-01-c1

CS/HB 7055

2018

1676 to participate in the scholarship program ~~as determined by the~~
1677 ~~department.~~

1678 Section 22. Subsections (12) through (16) of section
1679 1002.395, Florida Statutes, are renumbered as subsections (11)
1680 through (15), respectively, and paragraph (f) of subsection (2),
1681 paragraphs (n), (o), and (p) of subsection (6), and present
1682 subsections (8), (9), and (11) of that section are amended to
1683 read:

1684 1002.395 Florida Tax Credit Scholarship Program.—

1685 (2) DEFINITIONS.—As used in this section, the term:

1686 (f) "Eligible nonprofit scholarship-funding organization"
1687 means a state university; or an independent college or
1688 university that is eligible to participate in the William L.
1689 Boyd, IV, Florida Resident Access Grant Program, located and
1690 chartered in this state, is not for profit, and is accredited by
1691 the Commission on Colleges of the Southern Association of
1692 Colleges and Schools; or is a charitable organization that:

1693 1. Is exempt from federal income tax pursuant to s.

1694 501(c)(3) of the Internal Revenue Code;

1695 2. Is a Florida entity formed under chapter 605, chapter
1696 607, or chapter 617 and whose principal office is located in the
1697 state; and

1698 3. Complies with subsections (6) and (15) ~~subsections (6)~~
1699 ~~and (16).~~

1700 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING

Page 68 of 198

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hb7055-01-c1

CS/HB 7055

2018

1701 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
 1702 organization:

1703 (n) Must prepare and submit quarterly reports to the
 1704 Department of Education pursuant to paragraph (9) (i) paragraph
 1705 ~~(9) (m)~~. In addition, an eligible nonprofit scholarship-funding
 1706 organization must submit in a timely manner any information
 1707 requested by the Department of Education relating to the
 1708 scholarship program.

1709 (o)1.a. Must participate in the joint development of
 1710 agreed-upon procedures ~~to be performed by an independent~~
 1711 ~~certified public accountant as required under paragraph (8) (c)~~
 1712 ~~if the scholarship-funding organization provided more than~~
 1713 ~~\$250,000 in scholarship funds to an eligible private school~~
 1714 ~~under this section~~ during the 2009-2010 state fiscal year. The
 1715 agreed-upon procedures must uniformly apply to all private
 1716 schools and must determine, at a minimum, whether the private
 1717 school has been verified as eligible by the Department of
 1718 Education under s. 1002.421 paragraph (9) (c); has an adequate
 1719 accounting system, system of financial controls, and process for
 1720 deposit and classification of scholarship funds; and has
 1721 properly expended scholarship funds for education-related
 1722 expenses. During the development of the procedures, the
 1723 participating scholarship-funding organizations shall specify
 1724 guidelines governing the materiality of exceptions that may be
 1725 found during the accountant's performance of the procedures. The

Page 69 of 198

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hb7055-01-c1

CS/HB 7055

2018

1726 procedures and guidelines shall be provided to private schools
 1727 and the Commissioner of Education by March 15, 2011.

1728 b. Must participate in a joint review of the agreed-upon
 1729 procedures and guidelines developed under sub-subparagraph a.,
 1730 by February of each biennium 2013 and biennially thereafter, if
 1731 the scholarship-funding organization provided more than \$250,000
 1732 in scholarship funds to an eligible private school under this
 1733 ~~chapter section~~ during the state fiscal year preceding the
 1734 biennial review. If the procedures and guidelines are revised,
 1735 the revisions must be provided to private schools and the
 1736 Commissioner of Education by March 15 of the year in which the
 1737 revisions were completed. The revised agreed-upon procedures
 1738 shall take effect the subsequent school year. For the 2018-2019
 1739 school year only, the joint review of the agreed-upon procedures
 1740 must be completed and the revisions submitted to the
 1741 commissioner no later than September 15, 2018. The revised
 1742 procedures are applicable to the 2018-2019 school year, 2013,
 1743 and biennially thereafter.

1744 c. Must monitor the compliance of a private school with
 1745 s. 1002.421 (1) (g) paragraph (8) (c) if the scholarship-funding
 1746 organization provided the majority of the scholarship funding to
 1747 the school. For each private school subject to s. 1002.421 (1) (g)
 1748 ~~paragraph (8) (c)~~, the appropriate scholarship-funding
 1749 organization shall annually notify the Commissioner of Education
 1750 by October 30, ~~2011, and annually thereafter~~ of:

Page 70 of 198

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hb7055-01-c1

CS/HB 7055

2018

1751 (I) A private school's failure to submit a report required
 1752 under s. 1002.421(1)(q) ~~paragraph (8)(e);~~ or
 1753 (II) Any material exceptions set forth in the report
 1754 required under s. 1002.421(1)(q) ~~paragraph (8)(e)~~.
 1755 2. Must seek input from the accrediting associations that
 1756 are members of the Florida Association of Academic Nonpublic
 1757 Schools and the Department of Education when jointly developing
 1758 the agreed-upon procedures and guidelines under sub-subparagraph
 1759 1.a. and conducting a review of those procedures and guidelines
 1760 under sub-subparagraph 1.b.
 1761 (p) Must maintain the surety bond or letter of credit
 1762 required by subsection (15) ~~subsection (16)~~. The amount of the
 1763 surety bond or letter of credit may be adjusted quarterly to
 1764 equal the actual amount of undisbursed funds based upon
 1765 submission by the organization of a statement from a certified
 1766 public accountant verifying the amount of undisbursed funds. The
 1767 requirements of this paragraph are waived if the cost of
 1768 acquiring a surety bond or letter of credit exceeds the average
 1769 10-year cost of acquiring a surety bond or letter of credit by
 1770 200 percent. The requirements of this paragraph are waived for a
 1771 state university; or an independent college or university which
 1772 is eligible to participate in the William L. Boyd, IV, Florida
 1773 Resident Access Grant Program, located and chartered in this
 1774 state, is not for profit, and is accredited by the Commission on
 1775 Colleges of the Southern Association of Colleges and Schools.

Page 71 of 198

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hb7055-01-c1

CS/HB 7055

2018

1776 Information and documentation provided to the Department of
 1777 Education and the Auditor General relating to the identity of a
 1778 taxpayer that provides an eligible contribution under this
 1779 section shall remain confidential at all times in accordance
 1780 with s. 213.053.
 1781
 1782 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An
 1783 eligible private school may be sectarian or nonsectarian and
 1784 must:
 1785 (a) Comply with all requirements for private schools
 1786 participating in state school choice scholarship programs
 1787 pursuant to s. 1002.421.
 1788 ~~(b) Provide to the eligible nonprofit scholarship funding~~
 1789 ~~organization, upon request, all documentation required for the~~
 1790 ~~student's participation, including the private school's and~~
 1791 ~~student's fee schedules.~~
 1792 ~~(c) Be academically accountable to the parent for meeting~~
 1793 ~~the educational needs of the student by:~~
 1794 ~~1. At a minimum, annually providing to the parent a~~
 1795 ~~written explanation of the student's progress.~~
 1796 (b)1.2- Annually administer or make administering or
 1797 ~~making~~ provision for students participating in the scholarship
 1798 program in grades 3 through 10 to take one of the nationally
 1799 norm-referenced tests identified by the Department of Education
 1800 or the statewide assessments pursuant to s. 1008.22. Students

Page 72 of 198

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hb7055-01-c1

CS/HB 7055

2018

1801 with disabilities for whom standardized testing is not
 1802 appropriate are exempt from this requirement. A participating
 1803 private school must report a student's scores to the parent. A
 1804 participating private school must annually report by August 15
 1805 the scores of all participating students to a state university
 1806 ~~the Learning System Institute~~ described in paragraph (9) (f)
 1807 paragraph (9) (j).

1808 2. Administer ~~3. Cooperating with the scholarship student~~
 1809 ~~whose parent chooses to have the student participate in the~~
 1810 statewide assessments pursuant to s. 1008.22 ~~or, if a private~~
 1811 school chooses to offer the statewide assessments, ~~administering~~
 1812 ~~the assessments at the school.~~

1813 a. A participating private school may choose to offer and
 1814 administer the statewide assessments to all students who attend
 1815 the private school in grades 3 through 10 and.

1816 b. ~~A participating private school~~ must submit a request in
 1817 writing to the Department of Education by March 1 of each year
 1818 in order to administer the statewide assessments in the
 1819 subsequent school year.

1820 ~~(d) Employ or contract with teachers who have regular and~~
 1821 ~~direct contact with each student receiving a scholarship under~~
 1822 ~~this section at the school's physical location.~~

1823 ~~(e) Provide a report from an independent certified public~~
 1824 ~~accountant who performs the agreed-upon procedures developed~~
 1825 ~~under paragraph (6) (e) if the private school receives more than~~

Page 73 of 198

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hb7055-01-c1

CS/HB 7055

2018

1826 ~~\$250,000 in funds from scholarships awarded under this section~~
 1827 ~~in a state fiscal year. A private school subject to this~~
 1828 ~~paragraph must annually submit the report by September 15 to the~~
 1829 ~~scholarship funding organization that awarded the majority of~~
 1830 ~~the school's scholarship funds. The agreed-upon procedures must~~
 1831 ~~be conducted in accordance with attestation standards~~
 1832 ~~established by the American Institute of Certified Public~~
 1833 ~~Accountants.~~

1834
 1835 If a private school fails ~~is unable to~~ meet the requirements of
 1836 this subsection or s. 1002.421 ~~or has consecutive years of~~
 1837 ~~material exceptions listed in the report required under~~
 1838 ~~paragraph (e), the commissioner may determine that the private~~
 1839 school is ineligible to participate in the scholarship program
 1840 ~~as determined by the Department of Education.~~

1841 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of
 1842 Education shall:

1843 (a) Annually submit to the department and division, by
 1844 March 15, a list of eligible nonprofit scholarship-funding
 1845 organizations that meet the requirements of paragraph (2) (f).

1846 (b) Annually verify the eligibility of nonprofit
 1847 scholarship-funding organizations that meet the requirements of
 1848 paragraph (2) (f).

1849 ~~(c) Annually verify the eligibility of private schools~~
 1850 ~~that meet the requirements of subsection (8).~~

Page 74 of 198

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hb7055-01-c1

CS/HB 7055

2018

1851 ~~(c)(d)~~ Annually verify the eligibility of expenditures as
 1852 provided in paragraph (6) (d) using the audit required by
 1853 paragraph (6) (m) and s. 11.45(2) (1) ~~s. 11.45(2) (k)~~.
 1854 ~~(e)~~ Establish a toll free hotline that provides parents
 1855 and private schools with information on participation in the
 1856 scholarship program.
 1857 ~~(f)~~ Establish a process by which individuals may notify
 1858 the Department of Education of any violation by a parent,
 1859 private school, or school district of state laws relating to
 1860 program participation. The Department of Education shall conduct
 1861 an inquiry of any written complaint of a violation of this
 1862 section, or make a referral to the appropriate agency for an
 1863 investigation, if the complaint is signed by the complainant and
 1864 is legally sufficient. A complaint is legally sufficient if it
 1865 contains ultimate facts that show that a violation of this
 1866 section or any rule adopted by the State Board of Education has
 1867 occurred. In order to determine legal sufficiency, the
 1868 Department of Education may require supporting information or
 1869 documentation from the complainant. A department inquiry is not
 1870 subject to the requirements of chapter 120.
 1871 ~~(g)~~ Require an annual, notarized, sworn compliance
 1872 statement by participating private schools certifying compliance
 1873 with state laws and shall retain such records.
 1874 ~~(d)(h)~~ Cross-check the list of participating scholarship
 1875 students with the public school enrollment lists to avoid

Page 75 of 198

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hb7055-01-c1

CS/HB 7055

2018

1876 duplication.
 1877 ~~(e)(i)~~ Maintain a list of nationally norm-referenced tests
 1878 identified for purposes of satisfying the testing requirement in
 1879 subparagraph (8) (b)1 ~~subparagraph (8) (c)2~~. The tests must meet
 1880 industry standards of quality in accordance with State Board of
 1881 Education rule.
 1882 ~~(f)(j)~~ Issue a project grant award to a state university
 1883 ~~the Learning System Institute at the Florida State University,~~
 1884 to which participating private schools must report the scores of
 1885 participating students on the nationally norm-referenced tests
 1886 or the statewide assessments administered by the private school
 1887 in grades 3 through 10. The project term is 2 years, and the
 1888 amount of the project is up to \$250,000 ~~\$500,000~~ per year. The
 1889 project grant award must be reissued in 2-year intervals in
 1890 accordance with this paragraph.
 1891 1. The state university ~~Learning System Institute~~ must
 1892 annually report to the Department of Education on the student
 1893 performance of participating students:
 1894 a. On a statewide basis. The report shall also include, to
 1895 the extent possible, a comparison of scholarship students'
 1896 performance to the statewide student performance of public
 1897 school students with socioeconomic backgrounds similar to those
 1898 of students participating in the scholarship program. To
 1899 minimize costs and reduce time required for the state
 1900 university's ~~Learning System Institute's~~ analysis and

Page 76 of 198

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hb7055-01-c1

CS/HB 7055

2018

1901 evaluation, the Department of Education shall coordinate with
 1902 the state university Learning-System-Institute to provide data
 1903 to the state university Learning-System-Institute in order to
 1904 conduct analyses of matched students from public school
 1905 assessment data and calculate control group student performance
 1906 using an agreed-upon methodology with the state university
 1907 Learning-System-Institute; and
 1908 b. On an individual school basis. The annual report must
 1909 include student performance for each participating private
 1910 school in which at least 51 percent of the total enrolled
 1911 students in the private school participated in the Florida Tax
 1912 Credit Scholarship Program in the prior school year. The report
 1913 shall be according to each participating private school, and for
 1914 participating students, in which there are at least 30
 1915 participating students who have scores for tests administered.
 1916 If the state university Learning-System-Institute determines
 1917 that the 30-participating-student cell size may be reduced
 1918 without disclosing personally identifiable information, as
 1919 described in 34 C.F.R. s. 99.12, of a participating student, the
 1920 state university Learning-System-Institute may reduce the
 1921 participating-student cell size, but the cell size must not be
 1922 reduced to less than 10 participating students. The department
 1923 shall provide each private school's prior school year's student
 1924 enrollment information to the state university Learning-System
 1925 Institute no later than June 15 of each year, or as requested by

Page 77 of 198

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hb7055-01-c1

CS/HB 7055

2018

1926 the state university Learning-System-Institute.
 1927 2. The sharing and reporting of student performance data
 1928 under this paragraph must be in accordance with requirements of
 1929 ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g, the Family
 1930 Educational Rights and Privacy Act, and the applicable rules and
 1931 regulations issued pursuant thereto, and shall be for the sole
 1932 purpose of creating the annual report required by subparagraph
 1933 1. All parties must preserve the confidentiality of such
 1934 information as required by law. The annual report must not
 1935 disaggregate data to a level that will identify individual
 1936 participating schools, except as required under sub-subparagraph
 1937 1.b., or disclose the academic level of individual students.
 1938 3. The annual report required by subparagraph 1. shall be
 1939 published by the Department of Education on its website.
 1940 (g) (k) Notify an eligible nonprofit scholarship-funding
 1941 organization of any of the organization's identified students
 1942 who are receiving educational scholarships pursuant to chapter
 1943 1002.
 1944 (h) (i) Notify an eligible nonprofit scholarship-funding
 1945 organization of any of the organization's identified students
 1946 who are receiving tax credit scholarships from other eligible
 1947 nonprofit scholarship-funding organizations.
 1948 (i) (m) Require quarterly reports by an eligible nonprofit
 1949 scholarship-funding organization regarding the number of
 1950 students participating in the scholarship program, the private

Page 78 of 198

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hb7055-01-c1

CS/HB 7055

2018

1951 schools at which the students are enrolled, and other
 1952 information deemed necessary by the Department of Education.
 1953 ~~(n)1. Conduct site visits to private schools participating~~
 1954 ~~in the Florida Tax Credit Scholarship Program. The purpose of~~
 1955 ~~the site visits is solely to verify the information reported by~~
 1956 ~~the schools concerning the enrollment and attendance of~~
 1957 ~~students, the credentials of teachers, background screening of~~
 1958 ~~teachers, and teachers' fingerprinting results. The Department~~
 1959 ~~of Education may not make more than seven site visits each year;~~
 1960 ~~however, the department may make additional site visits at any~~
 1961 ~~time to any school that has received a notice of noncompliance~~
 1962 ~~or a notice of proposed action within the previous 2 years.~~
 1963 ~~2. Annually, by December 15, report to the Governor, the~~
 1964 ~~President of the Senate, and the Speaker of the House of~~
 1965 ~~Representatives the Department of Education's actions with~~
 1966 ~~respect to implementing accountability in the scholarship~~
 1967 ~~program under this section and s. 1002.421, any substantiated~~
 1968 ~~allegations or violations of law or rule by an eligible private~~
 1969 ~~school under this program concerning the enrollment and~~
 1970 ~~attendance of students, the credentials of teachers, background~~
 1971 ~~screening of teachers, and teachers' fingerprinting results and~~
 1972 ~~the corrective action taken by the Department of Education.~~
 1973 (j)(e) Provide a process to match the direct certification
 1974 list with the scholarship application data submitted by any
 1975 nonprofit scholarship-funding organization eligible to receive

Page 79 of 198

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hb7055-01-c1

CS/HB 7055

2018

1976 the 3-percent administrative allowance under paragraph (6)(j).
 1977 ~~(p) Upon the request of a participating private school,~~
 1978 ~~provide at no cost to the school the statewide assessments~~
 1979 ~~administered under s. 1008.22 and any related materials for~~
 1980 ~~administering the assessments. Students at a private school may~~
 1981 ~~be assessed using the statewide assessments if the addition of~~
 1982 ~~those students and the school does not cause the state to exceed~~
 1983 ~~its contractual caps for the number of students tested and the~~
 1984 ~~number of testing sites. The state shall provide the same~~
 1985 ~~materials and support to a private school that it provides to a~~
 1986 ~~public school. A private school that chooses to administer~~
 1987 ~~statewide assessments under s. 1008.22 shall follow the~~
 1988 ~~requirements set forth in ss. 1008.22 and 1008.24, rules adopted~~
 1989 ~~by the State Board of Education to implement those sections, and~~
 1990 ~~district-level testing policies established by the district~~
 1991 ~~school board.~~
 1992 ~~(11) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.~~
 1993 ~~(a)1. The Commissioner of Education shall deny, suspend,~~
 1994 ~~or revoke a private school's participation in the scholarship~~
 1995 ~~program if it is determined that the private school has failed~~
 1996 ~~to comply with the provisions of this section. However, in~~
 1997 ~~instances in which the noncompliance is correctable within a~~
 1998 ~~reasonable amount of time and in which the health, safety, or~~
 1999 ~~welfare of the students is not threatened, the commissioner may~~
 2000 ~~issue a notice of noncompliance that shall provide the private~~

Page 80 of 198

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hb7055-01-c1

CS/HB 7055

2018

2001 ~~school with a timeframe within which to provide evidence of~~
 2002 ~~compliance prior to taking action to suspend or revoke the~~
 2003 ~~private school's participation in the scholarship program.~~
 2004 2. The Commissioner of Education may deny, suspend, or
 2005 revoke a private school's participation in the scholarship
 2006 program if the commissioner determines that:
 2007 a. An owner or operator of a private school has exhibited
 2008 a previous pattern of failure to comply with this section or s.
 2009 1002.421; or
 2010 b. An owner or operator of the private school is operating
 2011 or has operated an educational institution in this state or
 2012 another state or jurisdiction in a manner contrary to the
 2013 health, safety, or welfare of the public.
 2014
 2015 In making the determination under this subparagraph, the
 2016 commissioner may consider factors that include, but are not
 2017 limited to, acts or omissions by an owner or operator that led
 2018 to a previous denial or revocation of participation in an
 2019 education scholarship program; an owner's or operator's failure
 2020 to reimburse the Department of Education or a nonprofit
 2021 scholarship-funding organization for scholarship funds
 2022 improperly received or retained by a school; imposition of a
 2023 prior criminal sanction, civil fine, administrative fine,
 2024 license revocation or suspension, or program eligibility
 2025 suspension, termination, or revocation related to an owner's or

Page 81 of 198

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hb7055-01-c1

CS/HB 7055

2018

2026 ~~operator's management or operation of an educational~~
 2027 ~~institution; or other types of criminal proceedings in which the~~
 2028 ~~owner or operator was found guilty of, regardless of~~
 2029 ~~adjudication, or entered a plea of nolo contendere or guilty to,~~
 2030 ~~any offense involving fraud, deceit, dishonesty, or moral~~
 2031 ~~turpitude.~~
 2032 ~~(b) The commissioner's determination is subject to the~~
 2033 ~~following:~~
 2034 1. If the commissioner intends to deny, suspend, or revoke
 2035 a private school's participation in the scholarship program, the
 2036 Department of Education shall notify the private school of such
 2037 proposed action in writing by certified mail and regular mail to
 2038 the private school's address of record with the Department of
 2039 Education. The notification shall include the reasons for the
 2040 proposed action and notice of the timelines and procedures set
 2041 forth in this paragraph.
 2042 2. The private school that is adversely affected by the
 2043 proposed action shall have 15 days from receipt of the notice of
 2044 proposed action to file with the Department of Education's
 2045 agency clerk a request for a proceeding pursuant to ss. 120.569
 2046 and 120.57. If the private school is entitled to a hearing under
 2047 s. 120.57(1), the Department of Education shall forward the
 2048 request to the Division of Administrative Hearings.
 2049 3. Upon receipt of a request referred pursuant to this
 2050 paragraph, the director of the Division of Administrative

Page 82 of 198

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hb7055-01-c1

CS/HB 7055

2018

2051 Hearings shall expedite the hearing and assign an administrative
 2052 law judge who shall commence a hearing within 30 days after the
 2053 receipt of the formal written request by the division and enter
 2054 a recommended order within 30 days after the hearing or within
 2055 30 days after receipt of the hearing transcript, whichever is
 2056 later. Each party shall be allowed 10 days in which to submit
 2057 written exceptions to the recommended order. A final order shall
 2058 be entered by the agency within 30 days after the entry of a
 2059 recommended order. The provisions of this subparagraph may be
 2060 waived upon stipulation by all parties.

2061 (c) The commissioner may immediately suspend payment of
 2062 scholarship funds if it is determined that there is probable
 2063 cause to believe that there is:

2064 1. An imminent threat to the health, safety, and welfare
 2065 of the students;

2066 2. A previous pattern of failure to comply with this
 2067 section or s. 1002.421; or

2068 3. Fraudulent activity on the part of the private school.
 2069 Notwithstanding s. 1002.22, in incidents of alleged fraudulent
 2070 activity pursuant to this section, the Department of Education's
 2071 Office of Inspector General is authorized to release personally
 2072 identifiable records or reports of students to the following
 2073 persons or organizations:

2074 a. A court of competent jurisdiction in compliance with an
 2075 order of that court or the attorney of record in accordance with

Page 83 of 198

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hb7055-01-c1

CS/HB 7055

2018

2076 a lawfully issued subpoena, consistent with the Family
 2077 Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

2078 b. A person or entity authorized by a court of competent
 2079 jurisdiction in compliance with an order of that court or the
 2080 attorney of record pursuant to a lawfully issued subpoena,
 2081 consistent with the Family Educational Rights and Privacy Act,
 2082 20 U.S.C. s. 1232g.

2083 c. Any person, entity, or authority issuing a subpoena for
 2084 law enforcement purposes when the court or other issuing agency
 2085 has ordered that the existence or the contents of the subpoena
 2086 or the information furnished in response to the subpoena not be
 2087 disclosed, consistent with the Family Educational Rights and
 2088 Privacy Act, 20 U.S.C. s. 1232g, and 34 C.F.R. s. 99.31.

2089
 2090 The commissioner's order suspending payment pursuant to this
 2091 paragraph may be appealed pursuant to the same procedures and
 2092 timelines as the notice of proposed action set forth in
 2093 paragraph (b).

2094 Section 23. Section 1002.40, Florida Statutes, is created
 2095 to read:

2096 1002.40 The Hope Scholarship Program.—

2097 (1) PURPOSE.—The Hope Scholarship Program is established
 2098 to provide the parent of a public school student who was
 2099 subjected to an incident listed in subsection (3) an opportunity
 2100 to transfer the student to another public school or to request a

Page 84 of 198

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hb7055-01-c1

CS/HB 7055

2018

2101 scholarship for the student to enroll in and attend an eligible
 2102 private school.

2103 (2) DEFINITIONS.—As used in this section, the term:
 2104 (a) "Dealer" has the same meaning as provided in s.
 2105 212.06.

2106 (b) "Department" means the Department of Education.
 2107 (c) "Designated agent" has the same meaning as provided in
 2108 s. 212.06(10).

2109 (d) "Eligible contribution" or "contribution" means a
 2110 monetary contribution from a person purchasing a motor vehicle,
 2111 subject to the restrictions provided in this section, to an
 2112 eligible nonprofit scholarship-funding organization. The person
 2113 making the contribution may not designate a specific student as
 2114 the beneficiary of the contribution.

2115 (e) "Eligible nonprofit scholarship-funding organization"
 2116 or "organization" has the same meaning as provided in s.
 2117 1002.395(2) (f).

2118 (f) "Eligible private school" has the same meaning as
 2119 provided in s. 1002.395(2) (g).

2120 (g) "Motor vehicle" has the same meaning as provided in s.
 2121 320.01(1) (a), but does not include a heavy truck, truck tractor,
 2122 trailer, or motorcycle.

2123 (h) "Parent" means a resident of this state who is a
 2124 parent, as defined in s. 1000.21, and whose student was
 2125 subjected to an incident listed in subsection (3).

Page 85 of 198

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hb7055-01-c1

CS/HB 7055

2018

2126 (i) "Program" means the Hope Scholarship Program.
 2127 (j) "School" means any educational program or activity
 2128 conducted by a public K-12 educational institution, any school-
 2129 related or school-sponsored program or activity, and riding on a
 2130 school bus, as defined in s. 1006.25(1), including waiting at a
 2131 school bus stop.

2132 (k) "Unweighted FTE funding amount" means the statewide
 2133 average total funds per unweighted full-time equivalent funding
 2134 amount that is incorporated by reference in the General
 2135 Appropriations Act, or by a subsequent special appropriations
 2136 act, for the applicable state fiscal year.

2137 (3) PROGRAM ELIGIBILITY.—Beginning with the 2018-2019
 2138 school year, contingent upon available funds, and on a first-
 2139 come, first-served basis, a student enrolled in a Florida public
 2140 school in kindergarten through grade 12 is eligible for a
 2141 scholarship under this program if the student has been subjected
 2142 to an incident of battery; harassment; hazing; bullying;
 2143 kidnapping; physical attack; robbery; sexual offenses,
 2144 harassment, assault, or battery; threat or intimidation; or
 2145 fighting at school.

2146 (4) PROGRAM PROHIBITIONS.—Payment of a scholarship to a
 2147 student enrolled in a private school may not be made if a
 2148 student is:

2149 (a) Enrolled in a public school, including, but not
 2150 limited to, the Florida School for the Deaf and the Blind; the

Page 86 of 198

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hb7055-01-c1

CS/HB 7055

2018

2151 College-Preparatory Boarding Academy; a developmental research
 2152 school authorized under s. 1002.32; or a charter school
 2153 authorized under s. 1002.33, s. 1002.331, or s. 1002.332;
 2154 (b) Enrolled in a school operating for the purpose of
 2155 providing educational services to youth in the Department of
 2156 Juvenile Justice commitment programs;
 2157 (c) Participating in a virtual school, correspondence
 2158 school, or distance learning program that receives state funding
 2159 pursuant to the student's participation unless the participation
 2160 is limited to no more than two courses per school year; or
 2161 (d) Receiving any other educational scholarship pursuant
 2162 to this chapter.
 2163 (5) TERM OF HOPE SCHOLARSHIP.-For purposes of continuity
 2164 of educational choice, a Hope scholarship shall remain in force
 2165 until the student returns to public school or graduates from
 2166 high school, whichever occurs first. A scholarship student who
 2167 enrolls in a public school or public school program is
 2168 considered to have returned to a public school for the purpose
 2169 of determining the end of the scholarship's term.
 2170 (6) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.-
 2171 (a) Upon receipt of a report of an incident listed in
 2172 subsection (3), the school principal shall provide a copy of the
 2173 report to the parent and investigate the incident to determine
 2174 if the incident must be reported as required by s. 1006.09(6).
 2175 Upon conclusion of the investigation or within 15 days after the

Page 87 of 198

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hb7055-01-c1

CS/HB 7055

2018

2176 incident was reported, whichever occurs first, the school
 2177 district shall notify the parent of the program and offer the
 2178 parent an opportunity to enroll his or her student in another
 2179 public school or to request and receive a scholarship to attend
 2180 an eligible private school, subject to available funding. A
 2181 parent who chooses to enroll his or her student in a public
 2182 school located outside the district in which the student resides
 2183 pursuant to s. 1002.31 shall be eligible for a scholarship to
 2184 transport the student as provided in paragraph (1)(b).
 2185 (b) For each student participating in the program in an
 2186 eligible private school who chooses to participate in the
 2187 statewide assessments under s. 1008.22 or the Florida Alternate
 2188 Assessment, the school district in which the student resides
 2189 must notify the student and his or her parent about the
 2190 locations and times to take all statewide assessments.
 2191 (7) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.-An
 2192 eligible private school may be sectarian or nonsectarian and
 2193 shall:
 2194 (a) Comply with all requirements for private schools
 2195 participating in state school choice scholarship programs
 2196 pursuant to this section and s. 1002.421.
 2197 (b)1. Annually administer or make provision for students
 2198 participating in the program in grades 3 through 10 to take one
 2199 of the nationally norm-referenced tests identified by the
 2200 department or the statewide assessments pursuant to s. 1008.22.

Page 88 of 198

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hb7055-01-c1

CS/HB 7055

2018

2201 Students with disabilities for whom standardized testing is not
 2202 appropriate are exempt from this requirement. A participating
 2203 private school shall report a student's scores to his or her
 2204 parent.

2205 2. Administer the statewide assessments pursuant to s.
 2206 1008.22 if a private school chooses to offer the statewide
 2207 assessments. A participating private school may choose to offer
 2208 and administer the statewide assessments to all students who
 2209 attend the private school in grades 3 through 10 and must submit
 2210 a request in writing to the department by March 1 of each year
 2211 in order to administer the statewide assessments in the
 2212 subsequent school year.

2213
 2214 If a private school fails to meet the requirements of this
 2215 subsection or s. 1002.421, the commissioner may determine that
 2216 the private school is ineligible to participate in the program.

2217 (8) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department
 2218 shall:

2219 (a) Cross-check the list of participating scholarship
 2220 students with the public school enrollment lists to avoid
 2221 duplication.

2222 (b) Maintain a list of nationally norm-referenced tests
 2223 identified for purposes of satisfying the testing requirement in
 2224 paragraph (9)(f). The tests must meet industry standards of
 2225 quality in accordance with State Board of Education rule.

Page 89 of 198

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hb7055-01-c1

CS/HB 7055

2018

2226 (c) Require quarterly reports by an eligible nonprofit
 2227 scholarship-funding organization regarding the number of
 2228 students participating in the program, the private schools in
 2229 which the students are enrolled, and other information deemed
 2230 necessary by the department.

2231 (d) Contract with an independent entity to provide an
 2232 annual evaluation of the program by:

2233 1. Reviewing the school climate and code of student
 2234 conduct of each public school from which 10 or more students
 2235 transferred to another public school or private school using the
 2236 Hope scholarship to determine areas in the school or school
 2237 district procedures involving reporting, investigating, and
 2238 communicating a parent's and student's rights that are in need
 2239 of improvement. At a minimum, the review must include:

2240 a. An assessment of the investigation time and quality of
 2241 the response of the school and the school district.

2242 b. An assessment of the effectiveness of communication
 2243 procedures with the students involved in an incident, the
 2244 students' parents, and the school and school district personnel.

2245 c. An analysis of school incident and discipline data.

2246 d. The challenges and obstacles relating to implementing
 2247 recommendations from the review.

2248 2. Reviewing the school climate and code of student
 2249 conduct of each public school to which a student transferred if
 2250 the student was from a school identified in subparagraph 1. in

Page 90 of 198

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hb7055-01-c1

CS/HB 7055

2018

2251 order to identify best practices and make recommendations to a
 2252 public school at which the incidents occurred.
 2253 3. Reviewing the performance of participating students
 2254 enrolled in a private school in which at least 51 percent of the
 2255 total enrolled students in the prior school year participated in
 2256 the program and in which there are at least 10 participating
 2257 students who have scores for tests administered.
 2258 4. Surveying the parents of participating students to
 2259 determine academic, safety, and school climate satisfaction and
 2260 to identify any challenges to or obstacles in addressing the
 2261 incident or relating to the use of the scholarship.
 2262 (9) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
 2263 PARTICIPATION.—A parent who applies for a Hope scholarship is
 2264 exercising his or her parental option to place his or her
 2265 student in an eligible private school.
 2266 (a) The parent must select an eligible private school and
 2267 apply for the admission of his or her student.
 2268 (b) The parent must inform the student's school district
 2269 when the parent withdraws his or her student to attend an
 2270 eligible private school.
 2271 (c) Any student participating in the program must remain
 2272 in attendance throughout the school year unless excused by the
 2273 school for illness or other good cause.
 2274 (d) Each parent and each student has an obligation to the
 2275 private school to comply with such school's published policies.

Page 91 of 198

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hb7055-01-c1

CS/HB 7055

2018

2276 (e) Upon reasonable notice to the department and the
 2277 school district, the parent may remove the student from the
 2278 private school and place the student in a public school in
 2279 accordance with this section.
 2280 (f) The parent must ensure that the student participating
 2281 in the program takes the norm-referenced assessment offered by
 2282 the private school. The parent may also choose to have the
 2283 student participate in the statewide assessments pursuant to s.
 2284 1008.22. If the parent requests that the student take the
 2285 statewide assessments pursuant to s. 1008.22 and the private
 2286 school has not chosen to offer and administer the statewide
 2287 assessments, the parent is responsible for transporting the
 2288 student to the assessment site designated by the school
 2289 district.
 2290 (g) Upon receipt of a scholarship warrant, the parent to
 2291 whom the warrant is made must restrictively endorse the warrant
 2292 to the private school for deposit into the account of such
 2293 school. If payment is made by funds transfer in accordance with
 2294 paragraph (11)(d), the parent must approve each payment before
 2295 the scholarship funds may be deposited. The parent may not
 2296 designate any entity or individual associated with the
 2297 participating private school as the parent's attorney in fact to
 2298 endorse a scholarship warrant or approve a funds transfer. A
 2299 parent who fails to comply with this paragraph forfeits the
 2300 scholarship.

Page 92 of 198

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hb7055-01-c1

CS/HB 7055

2018

2301 (10) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
 2302 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
 2303 organization may establish scholarships for eligible students
 2304 by:
 2305 (a) Receiving applications and determining student
 2306 eligibility in accordance with the requirements of this section.
 2307 (b) Notifying parents of their receipt of a scholarship on
 2308 a first-come, first-served basis, based upon available funds.
 2309 (c) Establishing a date by which the parent of a
 2310 participating student must confirm continuing participation in
 2311 the program.
 2312 (d) Awarding scholarship funds to eligible students,
 2313 giving priority to renewing students from the previous year.
 2314 (e) Preparing and submitting quarterly reports to the
 2315 department pursuant to paragraph (8) (c). In addition, an
 2316 eligible nonprofit scholarship-funding organization must submit
 2317 in a timely manner any information requested by the department
 2318 relating to the program.
 2319 (f) Notifying the department of any violation of this
 2320 section.
 2321 (11) FUNDING AND PAYMENT.—
 2322 (a) The maximum amount awarded to a student enrolled in an
 2323 eligible private school shall be determined as a percentage of
 2324 the unweighted FTE funding amount for that state fiscal year and
 2325 thereafter as follows:

Page 93 of 198

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hb7055-01-c1

CS/HB 7055

2018

2326 1. Eighty-eight percent for a student enrolled in
 2327 kindergarten through grade 5.
 2328 2. Ninety-two percent for a student enrolled in grade 6
 2329 through grade 8.
 2330 3. Ninety-six percent for a student enrolled in grade 9
 2331 through grade 12.
 2332 (b) The maximum amount awarded to a student enrolled in a
 2333 public school located outside of the district in which the
 2334 student resides shall be \$750.
 2335 (c) When a student enters the program, the eligible
 2336 nonprofit scholarship-funding organization must receive all
 2337 documentation required for the student's participation,
 2338 including a copy of the report of the incident received pursuant
 2339 to subsection (6) and the private school's and student's fee
 2340 schedules. The initial payment shall be made after verification
 2341 of admission acceptance, and subsequent payments shall be made
 2342 upon verification of continued enrollment and attendance at the
 2343 private school.
 2344 (d) Payment of the scholarship by the eligible nonprofit
 2345 scholarship-funding organization may be by individual warrant
 2346 made payable to the student's parent or by funds transfer,
 2347 including, but not limited to, debit cards, electronic payment
 2348 cards, or any other means of payment that the department deems
 2349 to be commercially viable or cost-effective. If payment is made
 2350 by warrant, the warrant must be delivered by the eligible

Page 94 of 198

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hb7055-01-c1

CS/HB 7055

2018

2351 nonprofit scholarship-funding organization to the private school
 2352 of the parent's choice, and the parent shall restrictively
 2353 endorse the warrant to the private school. If payments are made
 2354 by funds transfer, the parent must approve each payment before
 2355 the scholarship funds may be deposited. The parent may not
 2356 designate any entity or individual associated with the
 2357 participating private school as the parent's attorney in fact to
 2358 endorse a scholarship warrant or approve a funds transfer.

2359 (e) An eligible nonprofit scholarship-funding organization
 2360 shall obtain verification from the private school of a student's
 2361 continued attendance at the school for each period covered by a
 2362 scholarship payment.

2363 (f) Payment of the scholarship shall be made by the
 2364 eligible nonprofit scholarship-funding organization no less
 2365 frequently than on a quarterly basis.

2366 (g) An eligible nonprofit scholarship-funding organization
 2367 may use up to 3 percent of eligible contributions received
 2368 during the state fiscal year in which such contributions are
 2369 collected for administrative expenses if the organization has
 2370 operated as an eligible nonprofit scholarship-funding
 2371 organization for at least the preceding 3 fiscal years and did
 2372 not have any findings of material weakness or material
 2373 noncompliance in its most recent audit under s. 1002.395(6)(m).
 2374 Such administrative expenses must be reasonable and necessary
 2375 for the organization's management and distribution of eligible

Page 95 of 198

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hb7055-01-c1

CS/HB 7055

2018

2376 contributions under this section. Funds authorized under this
 2377 paragraph may not be used for lobbying or political activity or
 2378 expenses related to lobbying or political activity. Up to one-
 2379 third of the funds authorized for administrative expenses under
 2380 this paragraph may be used for expenses related to the
 2381 recruitment of contributions. An eligible nonprofit scholarship-
 2382 funding organization may not charge an application fee.

2383 (h) Moneys received pursuant to this section do not
 2384 constitute taxable income to the qualified student or his or her
 2385 parent.

2386 (12) OBLIGATIONS OF THE AUDITOR GENERAL.—

2387 (a) The Auditor General shall conduct an annual
 2388 operational audit of accounts and records of each organization
 2389 that participates in the program. As part of this audit, the
 2390 Auditor General shall verify, at a minimum, the total number of
 2391 students served and transmit that information to the department.
 2392 The Auditor General shall provide the commissioner with a copy
 2393 of each annual operational audit performed pursuant to this
 2394 paragraph within 10 days after the audit is finalized.

2395 (b) The Auditor General shall notify the department of any
 2396 organization that fails to comply with a request for
 2397 information.

2398 (13) SCHOLARSHIP FUNDING TAX CREDITS—

2399 (a) A tax credit is available under s. 212.1832(1) for use
 2400 by a person that makes an eligible contribution. Each eligible

Page 96 of 198

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hb7055-01-c1

CS/HB 7055

2018

2401 contribution is limited to a single payment of \$105 per motor
 2402 vehicle purchased at the time of purchase of a motor vehicle or
 2403 a single payment of \$105 per motor vehicle purchased at the time
 2404 of registration of a motor vehicle that was not purchased from a
 2405 dealer. Payments of contributions shall be made to a dealer at
 2406 the time of purchase of a motor vehicle or to a designated agent
 2407 or private tag agent at the time of registration of a motor
 2408 vehicle that was not purchased from a dealer. An eligible
 2409 contribution shall be accompanied by a contribution election
 2410 form provided by the Department of Revenue. The form shall
 2411 include, at a minimum, a brief description of the Hope
 2412 Scholarship Program and a section allowing the consumer to
 2413 designate, from all participating scholarship funding
 2414 organizations, which organization will receive his or her
 2415 donation. For purposes of this subsection, the term "purchase"
 2416 does not include the lease or rental of a motor vehicle.
 2417 (b) A dealer, designated agent, or private tag agent
 2418 shall:
 2419 1. Provide the purchaser the contribution election form,
 2420 as provided by the Department of Revenue, at the time of
 2421 purchase of a motor vehicle or at the time of registration of a
 2422 motor vehicle that was not purchased from a dealer.
 2423 2. Collect eligible contributions.
 2424 3. Using a form provided by the Department of Revenue,
 2425 which shall include the dealer's or agent's federal employer

Page 97 of 198

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hb7055-01-c1

CS/HB 7055

2018

2426 identification number, remit to an organization no later than
 2427 the date the return filed pursuant to s. 212.11 is due the total
 2428 amount of contributions made to that organization and collected
 2429 during the preceding reporting period. The dealer or agent shall
 2430 also report this information to the Department of Revenue no
 2431 later than the date the return filed pursuant to s. 212.11 is
 2432 due.
 2433 4. Report to the Department of Revenue on each return
 2434 filed pursuant to s. 212.11 the total amount of credits granted
 2435 under s. 212.1832 for the preceding reporting period.
 2436 (c) An organization shall report to the Department of
 2437 Revenue, on or before the 20th day of each month, the total
 2438 amount of contributions received pursuant to paragraph (b) in
 2439 the preceding calendar month on a form provided by the
 2440 Department of Revenue. Such report shall include:
 2441 1. The federal employer identification number of each
 2442 designated agent, private tag agent, or dealer who remitted
 2443 contributions to the organization during that reporting period.
 2444 2. The amount of contributions received from each
 2445 designated agent, private tag agent, or dealer during that
 2446 reporting period.
 2447 (d) A person who, with the intent to unlawfully deprive or
 2448 defraud the program of its moneys or the use or benefit thereof,
 2449 fails to remit a contribution collected under this section is
 2450 guilty of theft, punishable as follows:

Page 98 of 198

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb7055-01-c1

CS/HB 7055

2018

2451 1. If the total amount stolen is less than \$300, the
 2452 offense is a misdemeanor of the second degree, punishable as
 2453 provided in s. 775.082 or s. 775.083. Upon a second conviction,
 2454 the offender is guilty of a misdemeanor of the first degree,
 2455 punishable as provided in s. 775.082 or s. 775.083. Upon a third
 2456 or subsequent conviction, the offender is guilty of a felony of
 2457 the third degree, punishable as provided in s. 775.082, s.
 2458 775.083, or s. 775.084.

2459 2. If the total amount stolen is \$300 or more, but less
 2460 than \$20,000, the offense is a felony of the third degree,
 2461 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2462 3. If the total amount stolen is \$20,000 or more, but less
 2463 than \$100,000, the offense is a felony of the second degree,
 2464 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2465 4. If the total amount stolen is \$100,000 or more, the
 2466 offense is a felony of the first degree, punishable as provided
 2467 in s. 775.082, s. 775.083, or s. 775.084.

2468 (e) A person convicted of an offense under paragraph (d)
 2469 shall be ordered by the sentencing judge to make restitution to
 2470 the organization in the amount that was stolen from the program.

2471 (f) Upon a finding that a dealer failed to remit a
 2472 contribution under subparagraph (b)3. for which the dealer
 2473 claimed a credit pursuant to s. 212.1832(2), the Department of
 2474 Revenue shall notify the dealer of such finding and request
 2475 evidence from the dealer that demonstrates the remittance

Page 99 of 198

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hb7055-01-c1

CS/HB 7055

2018

2476 obligation was met within 30 days after such notice was issued.
 2477 If, within 30 days after such notice was issued, the dealer
 2478 fails to provide evidence to the Department of Revenue that the
 2479 contribution in question was remitted, the Department of Revenue
 2480 may impose a civil fine in an amount equal to twice the amount
 2481 of contributions the dealer failed to remit, which fine shall be
 2482 transferred into the General Revenue Fund. If the fine is not
 2483 paid within 60 days after it is imposed, the Department of
 2484 Revenue may bring a civil action under s. 120.69 to recover such
 2485 fine.

2486 (g) Any dealer, designated agent, private tag agent, or
 2487 organization that fails to timely submit reports to the
 2488 Department of Revenue as required in paragraphs (b) and (c) is
 2489 subject to a penalty of \$1,000 for every month, or part thereof,
 2490 the report is not provided, up to a maximum amount of \$10,000.
 2491 Such penalty shall be collected by the Department of Revenue and
 2492 shall be transferred into the General Revenue Fund. Such penalty
 2493 must be settled or compromised if it is determined by the
 2494 Department of Revenue that the noncompliance is due to
 2495 reasonable cause and not due to willful negligence, willful
 2496 neglect, or fraud.

2497 (14) LIABILITY.—The state is not liable for the award of
 2498 or any use of awarded funds under this section.

2499 (15) SCOPE OF AUTHORITY.—This section does not expand the
 2500 regulatory authority of this state, its officers, or any school

Page 100 of 198

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hb7055-01-c1

CS/HB 7055

2018

2501 district to impose additional regulation on participating
 2502 private schools beyond those reasonably necessary to enforce
 2503 requirements expressly set forth in this section.
 2504 (16) RULES.—The State Board of Education shall adopt rules
 2505 to administer this section, except the Department of Revenue
 2506 shall adopt rules to administer subsection (13).
 2507 Section 24. Section 1002.411, Florida Statutes, is created
 2508 to read:
 2509 1002.411 Reading scholarship accounts.—
 2510 (1) READING SCHOLARSHIP ACCOUNTS.—Reading scholarship
 2511 accounts are established to provide educational options for
 2512 students.
 2513 (2) ELIGIBILITY.—Contingent upon available funds, and on a
 2514 first-come, first-served basis, each student in grades 3 through
 2515 5 who is enrolled in a Florida public school is eligible for a
 2516 reading scholarship account if the student scored below a Level
 2517 3 on the grade 3 or grade 4 statewide, standardized English
 2518 Language Arts (ELA) assessment in the prior school year.
 2519 (3) PARENT AND STUDENT RESPONSIBILITIES FOR
 2520 PARTICIPATION.—
 2521 (a) For an eligible student to receive a reading
 2522 scholarship account, the student's parent must:
 2523 1. Submit an application to an eligible nonprofit
 2524 scholarship-funding organization by the deadline established by
 2525 such organization; and

Page 101 of 198

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hb7055-01-c1

CS/HB 7055

2018

2526 2. Submit eligible expenses to the eligible nonprofit
 2527 scholarship-funding organization for reimbursement of qualifying
 2528 expenditures, which may include:
 2529 a. Instructional materials.
 2530 b. Curriculum. As used in this sub-subparagraph, the term
 2531 "curriculum" means a complete course of study for a particular
 2532 content area or grade level, including any required supplemental
 2533 materials and associated online instruction.
 2534 c. Tuition and fees for part-time tutoring services
 2535 provided by a person who holds a baccalaureate or graduate
 2536 degree in the subject area; a person who holds an adjunct
 2537 teaching certificate pursuant to s. 1012.57; or a person who has
 2538 demonstrated a mastery of subject area knowledge pursuant to s.
 2539 1012.56(5).
 2540 d. Fees for summer education programs.
 2541 e. Fees for after-school education programs.
 2542 f. Specialized services by approved providers or by a
 2543 hospital in this state which are selected by the parent. These
 2544 specialized services may include, but are not limited to:
 2545 (I) Applied behavior analysis services as provided in ss.
 2546 627.6686 and 641.31098.
 2547 (II) Services provided by speech-language pathologists as
 2548 defined in s. 468.1125.
 2549 (III) Occupational therapy services as defined in s.
 2550 468.203.

Page 102 of 198

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hb7055-01-c1

CS/HB 7055

2018

2551 (IV) Services provided by physical therapists as defined
 2552 in s. 486.021.

2553 (V) Services provided by listening and spoken language
 2554 specialists and an appropriate acoustical environment for a
 2555 child who is deaf or hard of hearing and who has received an
 2556 implant or assistive hearing device.

2557

2558 A provider of any services receiving payments pursuant to this
 2559 subparagraph may not share any moneys from the reading
 2560 scholarship with, or provide a refund or rebate of any moneys
 2561 from such scholarship to, the parent or participating student in
 2562 any manner. A parent, student, or provider of any services may
 2563 not bill an insurance company, Medicaid, or any other agency for
 2564 the same services that are paid for using reading scholarship
 2565 funds.

2566 (b) The parent is responsible for the payment of all
 2567 eligible expenses in excess of the amount in the account in
 2568 accordance with the terms agreed to between the parent and any
 2569 providers and may not receive any refund or rebate of any
 2570 expenditures made in accordance with paragraph (a).

2571 (4) ADMINISTRATION.—An eligible nonprofit scholarship-
 2572 funding organization participating in the Florida Tax Credit
 2573 Scholarship Program established by s. 1002.395 may establish
 2574 reading scholarship accounts for eligible students in accordance
 2575 with the requirements of eligible nonprofit scholarship-funding

Page 103 of 198

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hb7055-01-c1

CS/HB 7055

2018

2576 organizations under this chapter.

2577 (5) DEPARTMENT OBLIGATIONS.—The department shall have the
 2578 same duties imposed by this chapter upon the department
 2579 regarding oversight of scholarship programs administered by an
 2580 eligible nonprofit scholarship-funding organization.

2581 (6) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.—By
 2582 September 30, the school district shall notify the parent of
 2583 each student in grades 3 through 5 who scored below a level 3 on
 2584 the statewide, standardized ELA assessment in the prior school
 2585 year of the process to request and receive a reading
 2586 scholarship, subject to available funds.

2587 (7) ACCOUNT FUNDING AND PAYMENT.—

2588 (a) The maximum amount granted for an eligible student
 2589 shall be provided in the General Appropriations Act.

2590 (b) One hundred percent of the funds appropriated for the
 2591 reading scholarship accounts shall be released to the department
 2592 at the beginning of the first quarter of each fiscal year.

2593 (c) Upon notification from the eligible nonprofit
 2594 scholarship-funding organization that a student has been
 2595 determined eligible for a reading scholarship, the department
 2596 shall release the student's scholarship funds to such
 2597 organization to be deposited into the student's account.

2598 (d) Accrued interest in the student's account is in
 2599 addition to, and not part of, the awarded funds. Account funds
 2600 include both the awarded funds and accrued interest.

Page 104 of 198

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hb7055-01-c1

CS/HB 7055

2018

2601 (e) The eligible nonprofit scholarship-funding
 2602 organization may develop a system for payment of scholarship
 2603 funds by funds transfer, including, but not limited to, debit
 2604 cards, electronic payment cards, or any other means of payment
 2605 that the department deems to be commercially viable or cost-
 2606 effective. A student's scholarship award may not be reduced for
 2607 debit card or electronic payment fees. Commodities or services
 2608 related to the development of such a system shall be procured by
 2609 competitive solicitation unless they are purchased from a state
 2610 term contract pursuant to s. 287.056.
 2611 (f) Payment of the scholarship shall be made by the
 2612 eligible nonprofit scholarship-funding organization no less
 2613 frequently than on a quarterly basis.
 2614 (g) In addition to funds appropriated for scholarships and
 2615 subject to a separate, specific legislative appropriation, an
 2616 organization may receive an amount equivalent to not more than 3
 2617 percent of the amount of each scholarship from state funds for
 2618 administrative expenses if the organization has operated as a
 2619 nonprofit entity for at least the preceding 3 fiscal years and
 2620 did not have any findings of material weakness or material
 2621 noncompliance in its most recent audit under s. 1002.395. Such
 2622 administrative expenses must be reasonable and necessary for the
 2623 organization's management and distribution of scholarships under
 2624 this section. Funds authorized under this paragraph may not be
 2625 used for lobbying or political activity or expenses related to

Page 105 of 198

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hb7055-01-c1

CS/HB 7055

2018

2626 lobbying or political activity. An organization may not charge
 2627 an application fee for a scholarship. Administrative expenses
 2628 may not be deducted from funds appropriated for scholarships.
 2629 (h) Moneys received pursuant to this section do not
 2630 constitute taxable income to the qualified student or his or her
 2631 parent.
 2632 (i) A student's scholarship account must be closed and any
 2633 remaining funds shall revert to the state after:
 2634 1. Denial or revocation of scholarship eligibility by the
 2635 commissioner for fraud or abuse, including, but not limited to,
 2636 the student or student's parent accepting any payment, refund,
 2637 or rebate, in any manner, from a provider of any services
 2638 received pursuant to subsection (3); or
 2639 2. Three consecutive fiscal years in which an account has
 2640 been inactive.
 2641 (8) LIABILITY.—No liability shall arise on the part of the
 2642 state based on the award or use of a reading scholarship
 2643 account.
 2644 Section 25. Section 1002.421, Florida Statutes, is amended
 2645 to read:
 2646 1002.421 Accountability of private schools participating
 2647 in State school choice scholarship program accountability and
 2648 oversight programs.—
 2649 (1) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—A Florida
 2650 private school participating in the Florida Tax Credit

Page 106 of 198

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hb7055-01-c1

CS/HB 7055

2018

2651 ~~Scholarship Program established pursuant to s. 1002.395 or an~~
 2652 educational scholarship program established pursuant to this
 2653 chapter must be a Florida private school as defined in s.
 2654 1002.01(2), be registered, and be in compliance ~~comply~~ with all
 2655 requirements of this section in addition to private school
 2656 requirements outlined in s. 1002.42, specific requirements
 2657 identified within respective scholarship program laws, and other
 2658 provisions of Florida law that apply to private schools, and
 2659 ~~must:-~~
 2660 ~~(2) A private school participating in a scholarship~~
 2661 ~~program must be a Florida private school as defined in s.~~
 2662 ~~1002.01(2), must be registered in accordance with s. 1002.42,~~
 2663 ~~and must:-~~
 2664 (a) Comply with the antidiscrimination provisions of 42
 2665 U.S.C. s. 2000d.
 2666 (b) Notify the department of its intent to participate in
 2667 a scholarship program.
 2668 (c) Notify the department of any change in the school's
 2669 name, school director, mailing address, or physical location
 2670 within 15 days after the change.
 2671 (d) Provide to the department or scholarship-funding
 2672 organization all documentation required for a student's
 2673 participation, including the private school's and student's
 2674 individual fee schedule, and ~~Complete student enrollment and~~
 2675 ~~attendance verification requirements, including use of an online~~

Page 107 of 198

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hb7055-01-c1

CS/HB 7055

2018

2676 attendance verification as required by the department or
 2677 scholarship-funding organization form, prior to scholarship
 2678 payment.
 2679 (e) Annually complete and submit to the department a
 2680 notarized scholarship compliance statement certifying that all
 2681 school employees and contracted personnel with direct student
 2682 contact have undergone background screening pursuant to s.
 2683 943.0542 and have met the screening standards of s. 435.04.
 2684 (f) Demonstrate fiscal soundness and accountability by:
 2685 1. Being in operation for at least 3 school years or
 2686 obtaining a surety bond or letter of credit for the amount equal
 2687 to the scholarship funds for any quarter and filing the surety
 2688 bond or letter of credit with the department.
 2689 2. Requiring the parent of each scholarship student to
 2690 personally restrictively endorse the scholarship warrant to the
 2691 school or approve a funds transfer before any funds are
 2692 deposited for a student. The school may not act as attorney in
 2693 fact for the parent of a scholarship student under the authority
 2694 of a power of attorney executed by such parent, or under any
 2695 other authority, to endorse a scholarship warrant or approve a
 2696 funds transfer warrants on behalf of such parent.
 2697 (g) Meet applicable state and local health, safety, and
 2698 welfare laws, codes, and rules, including:
 2699 1. Firesafety.
 2700 2. Building safety.

Page 108 of 198

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hb7055-01-c1

CS/HB 7055

2018

2701 (h) Employ or contract with teachers who hold
 2702 baccalaureate or higher degrees, have at least 3 years of
 2703 teaching experience in public or private schools, or have
 2704 special skills, knowledge, or expertise that qualifies them to
 2705 provide instruction in subjects taught.

2706 (i) Maintain a physical location in the state at which
 2707 each student has regular and direct contact with teachers.

2708 (j) Publish on the school's website, or in a written
 2709 format, information for parents regarding the school, including,
 2710 but not limited to, programs, services, and the qualifications
 2711 of classroom teachers.

2712 (k) At a minimum, provide the parent of each scholarship
 2713 student with a written explanation of the student's progress on
 2714 a quarterly basis.

2715 (l) Cooperate with a student whose parent chooses to
 2716 participate in the statewide assessments pursuant to s. 1008.22.

2717 (m) ~~(i)~~ Require each employee and contracted personnel with
 2718 direct student contact, upon employment or engagement to provide
 2719 services, to undergo a state and national background screening,
 2720 pursuant to s. 943.0542, by electronically filing with the
 2721 Department of Law Enforcement a complete set of fingerprints
 2722 taken by an authorized law enforcement agency or an employee of
 2723 the private school, a school district, or a private company who
 2724 is trained to take fingerprints and deny employment to or
 2725 terminate an employee if he or she fails to meet the screening

Page 109 of 198

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hb7055-01-c1

CS/HB 7055

2018

2726 standards under s. 435.04. Results of the screening shall be
 2727 provided to the participating private school. For purposes of
 2728 this paragraph:

2729 1. An "employee or contracted personnel with direct
 2730 student contact" means any employee or contracted personnel who
 2731 has unsupervised access to a scholarship student for whom the
 2732 private school is responsible.

2733 2. The costs of fingerprinting and the background check
 2734 shall not be borne by the state.

2735 3. Continued employment of an employee or contracted
 2736 personnel after notification that he or she has failed the
 2737 background screening under this paragraph shall cause a private
 2738 school to be ineligible for participation in a scholarship
 2739 program.

2740 4. An employee or contracted personnel holding a valid
 2741 Florida teaching certificate who has been fingerprinted pursuant
 2742 to s. 1012.32 is not required to comply with the provisions of
 2743 this paragraph.

2744 5. ~~(3) (a)~~ All fingerprints submitted to the Department of
 2745 Law Enforcement as required by this section shall be retained by
 2746 the Department of Law Enforcement in a manner provided by rule
 2747 and entered in the statewide automated biometric identification
 2748 system authorized by s. 943.05(2)(b). Such fingerprints shall
 2749 thereafter be available for all purposes and uses authorized for
 2750 arrest fingerprints entered in the statewide automated biometric

Page 110 of 198

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hb7055-01-c1

CS/HB 7055

2018

2751 identification system pursuant to s. 943.051.

2752 ~~6.(b)~~ The Department of Law Enforcement shall search all

2753 arrest fingerprints received under s. 943.051 against the

2754 fingerprints retained in the statewide automated biometric

2755 identification system under subparagraph 5 ~~paragraph (a)~~. Any

2756 arrest record that is identified with the retained fingerprints

2757 of a person subject to the background screening under this

2758 section shall be reported to the employing school with which the

2759 person is affiliated. Each private school participating in a

2760 scholarship program is required to participate in this search

2761 process by informing the Department of Law Enforcement of any

2762 change in the employment or contractual status of its personnel

2763 whose fingerprints are retained under subparagraph 5 ~~paragraph~~

2764 ~~(a)~~. The Department of Law Enforcement shall adopt a rule

2765 setting the amount of the annual fee to be imposed upon each

2766 private school for performing these searches and establishing

2767 the procedures for the retention of private school employee and

2768 contracted personnel fingerprints and the dissemination of

2769 search results. The fee may be borne by the private school or

2770 the person fingerprinted.

2771 7.(e) Employees and contracted personnel whose

2772 fingerprints are not retained by the Department of Law

2773 Enforcement under subparagraphs 5. and 6. ~~paragraphs (a) and (b)~~

2774 are required to be refingerprinted and must meet state and

2775 national background screening requirements upon reemployment or

Page 111 of 198

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hb7055-01-c1

CS/HB 7055

2018

2776 reengagement to provide services in order to comply with the

2777 requirements of this section.

2778 ~~8.(d)~~ Every 5 years following employment or engagement to

2779 provide services with a private school, employees or contracted

2780 personnel required to be screened under this section must meet

2781 screening standards under s. 435.04, at which time the private

2782 school shall request the Department of Law Enforcement to

2783 forward the fingerprints to the Federal Bureau of Investigation

2784 for national processing. If the fingerprints of employees or

2785 contracted personnel are not retained by the Department of Law

2786 Enforcement under subparagraph 5. ~~paragraph (a)~~, employees and

2787 contracted personnel must electronically file a complete set of

2788 fingerprints with the Department of Law Enforcement. Upon

2789 submission of fingerprints for this purpose, the private school

2790 shall request that the Department of Law Enforcement forward the

2791 fingerprints to the Federal Bureau of Investigation for national

2792 processing, and the fingerprints shall be retained by the

2793 Department of Law Enforcement under subparagraph 5 ~~paragraph~~

2794 ~~(a)~~.

2795 ~~(4) A private school that accepts scholarship students~~

2796 ~~under s. 1002.39 or s. 1002.395 must:~~

2797 ~~(a) Disqualify instructional personnel and school~~

2798 ~~administrators, as defined in s. 1012.01, from employment in any~~

2799 ~~position that requires direct contact with students if the~~

2800 ~~personnel or administrators are ineligible for such employment~~

Page 112 of 198

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb7055-01-c1

CS/HB 7055

2018

2801 ~~under s. 1012.315.~~

2802 (n) (b) Adopt policies establishing standards of ethical

2803 conduct for instructional personnel and school administrators.

2804 The policies must require all instructional personnel and school

2805 administrators, as defined in s. 1012.01, to complete training

2806 on the standards; establish the duty of instructional personnel

2807 and school administrators to report, and procedures for

2808 reporting, alleged misconduct by other instructional personnel

2809 and school administrators which affects the health, safety, or

2810 welfare of a student; and include an explanation of the

2811 liability protections provided under ss. 39.203 and 768.095. A

2812 private school, or any of its employees, may not enter into a

2813 confidentiality agreement regarding terminated or dismissed

2814 instructional personnel or school administrators, or personnel

2815 or administrators who resign in lieu of termination, based in

2816 whole or in part on misconduct that affects the health, safety,

2817 or welfare of a student, and may not provide the instructional

2818 personnel or school administrators with employment references or

2819 discuss the personnel's or administrators' performance with

2820 prospective employers in another educational setting, without

2821 disclosing the personnel's or administrators' misconduct. Any

2822 part of an agreement or contract that has the purpose or effect

2823 of concealing misconduct by instructional personnel or school

2824 administrators which affects the health, safety, or welfare of a

2825 student is void, is contrary to public policy, and may not be

Page 113 of 198

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hb7055-01-c1

CS/HB 7055

2018

2826 enforced.

2827 (o) (e) Before employing instructional personnel or school

2828 administrators in any position that requires direct contact with

2829 students, conduct employment history checks of each of the

2830 personnel's or administrators' previous employers, screen the

2831 personnel or administrators through use of the educator

2832 screening tools described in s. 1001.10(5), and document the

2833 findings. If unable to contact a previous employer, the private

2834 school must document efforts to contact the employer.

2835 (p) Require each owner or operator of the private school,

2836 prior to employment or engagement to provide services, to

2837 undergo level 2 background screening as provided under chapter

2838 435. For purposes of this paragraph, the term "owner or

2839 operator" means an owner, operator, superintendent, or principal

2840 of, or a person with equivalent decisionmaking authority over, a

2841 private school participating in a scholarship program

2842 established pursuant to this chapter. The fingerprints for the

2843 background screening must be electronically submitted to the

2844 Department of Law Enforcement and may be taken by an authorized

2845 law enforcement agency or a private company who is trained to

2846 take fingerprints. However, the complete set of fingerprints of

2847 an owner or operator may not be taken by the owner or operator.

2848 The owner or operator shall provide a copy of the results of the

2849 state and national criminal history check to the Department of

2850 Education. The cost of the background screening may be borne by

Page 114 of 198

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hb7055-01-c1

CS/HB 7055

2018

2851 the owner or operator.

2852 1. Every 5 years following employment or engagement to

2853 provide services, each owner or operator must meet level 2

2854 screening standards as described in s. 435.04, at which time the

2855 owner or operator shall request the Department of Law

2856 Enforcement to forward the fingerprints to the Federal Bureau of

2857 Investigation for level 2 screening. If the fingerprints of an

2858 owner or operator are not retained by the Department of Law

2859 Enforcement under subparagraph 2., the owner or operator must

2860 electronically file a complete set of fingerprints with the

2861 Department of Law Enforcement. Upon submission of fingerprints

2862 for this purpose, the owner or operator shall request that the

2863 Department of Law Enforcement forward the fingerprints to the

2864 Federal Bureau of Investigation for level 2 screening, and the

2865 fingerprints shall be retained by the Department of Law

2866 Enforcement under subparagraph 2.

2867 2. Fingerprints submitted to the Department of Law

2868 Enforcement as required by this paragraph must be retained by

2869 the Department of Law Enforcement in a manner approved by rule

2870 and entered in the statewide automated biometric identification

2871 system authorized by s. 943.05(2)(b). The fingerprints must

2872 thereafter be available for all purposes and uses authorized for

2873 arrest fingerprints entered in the statewide automated biometric

2874 identification system pursuant to s. 943.051.

2875 3. The Department of Law Enforcement shall search all

Page 115 of 198

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb7055-01-c1

CS/HB 7055

2018

2876 arrest fingerprints received under s. 943.051 against the

2877 fingerprints retained in the statewide automated biometric

2878 identification system under subparagraph 2. Any arrest record

2879 that is identified with an owner's or operator's fingerprints

2880 must be reported to the owner or operator, who must report to

2881 the Department of Education. Any costs associated with the

2882 search shall be borne by the owner or operator.

2883 4. An owner or operator who fails the level 2 background

2884 screening is not eligible to participate in a scholarship

2885 program under this chapter.

2886 5. In addition to the offenses listed in s. 435.04, a

2887 person required to undergo background screening pursuant to this

2888 part or authorizing statutes must not have an arrest awaiting

2889 final disposition for, must not have been found guilty of, or

2890 entered a plea of nolo contendere to, regardless of

2891 adjudication, and must not have been adjudicated delinquent for,

2892 and the record must not have been sealed or expunged for, any of

2893 the following offenses or any similar offense of another

2894 jurisdiction:

2895 a. Any authorizing statutes, if the offense was a felony.

2896 b. This chapter, if the offense was a felony.

2897 c. Section 409.920, relating to Medicaid provider fraud.

2898 d. Section 409.9201, relating to Medicaid fraud.

2899 e. Section 741.28, relating to domestic violence.

2900 f. Section 817.034, relating to fraudulent acts through

Page 116 of 198

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hb7055-01-c1

CS/HB 7055

2018

2901 mail, wire, radio, electromagnetic, photoelectronic, or
 2902 photooptical systems.
 2903 g. Section 817.234, relating to false and fraudulent
 2904 insurance claims.
 2905 h. Section 817.505, relating to patient brokering.
 2906 i. Section 817.568, relating to criminal use of personal
 2907 identification information.
 2908 j. Section 817.60, relating to obtaining a credit card
 2909 through fraudulent means.
 2910 k. Section 817.61, relating to fraudulent use of credit
 2911 cards, if the offense was a felony.
 2912 l. Section 831.01, relating to forgery.
 2913 m. Section 831.02, relating to uttering forged
 2914 instruments.
 2915 n. Section 831.07, relating to forging bank bills, checks,
 2916 drafts, or promissory notes.
 2917 o. Section 831.09, relating to uttering forged bank bills,
 2918 checks, drafts, or promissory notes.
 2919 p. Section 831.30, relating to fraud in obtaining
 2920 medicinal drugs.
 2921 q. Section 831.31, relating to the sale, manufacture,
 2922 delivery, or possession with the intent to sell, manufacture, or
 2923 deliver any counterfeit controlled substance, if the offense was
 2924 a felony.
 2925 6. At least 30 calendar days before a transfer of

Page 117 of 198

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb7055-01-c1

CS/HB 7055

2018

2926 ownership of a private school, the owner or operator shall
 2927 notify the parent of each scholarship student.
 2928 7. The owner or operator of a private school that has been
 2929 deemed ineligible to participate in a scholarship program
 2930 pursuant to this chapter may not transfer ownership or
 2931 management authority of the school to a relative in order to
 2932 participate in a scholarship program as the same school or a new
 2933 school. For purposes of this subparagraph, the term "relative"
 2934 means father, mother, son, daughter, grandfather, grandmother,
 2935 brother, sister, uncle, aunt, cousin, nephew, niece, husband,
 2936 wife, father-in-law, mother-in-law, son-in-law, daughter-in-law,
 2937 brother-in-law, sister-in-law, stepfather, stepmother, stepson,
 2938 stepdaughter, stepbrother, stepsister, half-brother, or half-
 2939 sister.
 2940 (q) Provide a report from an independent certified public
 2941 accountant who performs the agreed-upon procedures developed
 2942 pursuant to s. 1002.395(6)(o) if the private school receives
 2943 more than \$250,000 in funds from scholarships awarded under this
 2944 chapter in a state fiscal year. A private school subject to this
 2945 subsection must annually submit the report by September 15 to
 2946 the scholarship-funding organization that awarded the majority
 2947 of the school's scholarship funds. However, a school that
 2948 receives more than \$250,000 in scholarship funds only through
 2949 the John M. McKay Scholarship for Students with Disabilities
 2950 Program pursuant to s. 1002.39 must submit the report by

Page 118 of 198

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb7055-01-c1

CS/HB 7055

2018

2951 September 15 to the department. The agreed-upon procedures must
 2952 be conducted in accordance with attestation standards
 2953 established by the American Institute of Certified Public
 2954 Accountants.

2955
 2956 The department shall suspend the payment of funds ~~under ss.~~
 2957 ~~1002.39 and 1002.395~~ to a private school that knowingly fails to
 2958 comply with this subsection, and shall prohibit the school from
 2959 enrolling new scholarship students, for 1 fiscal year and until
 2960 the school complies.

2961 ~~(5) If The inability of a private school fails to meet the~~
 2962 ~~requirements of this subsection or has consecutive years of~~
 2963 ~~material exceptions listed in the report required under~~
 2964 ~~paragraph (q), the commissioner may determine that the private~~
 2965 ~~school is ineligible section shall constitute a basis for the~~
 2966 ~~ineligibility of the private school to participate in a~~
 2967 ~~scholarship program as determined by the department.~~

2968 (2) DEPARTMENT OF EDUCATION OBLIGATIONS.—

2969 (a) The Department of Education shall:

2970 1. Annually verify the eligibility of private schools that
 2971 meet the requirements of this section, specific requirements
 2972 identified within respective scholarship program laws, and other
 2973 provisions of state law that apply to private schools.

2974 2. Establish a toll-free hotline that provides parents and
 2975 private schools with information on participation in the

Page 119 of 198

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hb7055-01-c1

CS/HB 7055

2018

2976 scholarship programs.

2977 3. Establish a process by which individuals may notify the
 2978 department of any violation by a parent, private school, or
 2979 school district of state laws relating to program participation.
 2980 If the department has reasonable cause to believe that a
 2981 violation of this section or any rule adopted by the State Board
 2982 of Education has occurred, it shall conduct an inquiry or make a
 2983 referral to the appropriate agency for an investigation. A
 2984 department inquiry is not subject to the requirements of chapter
 2985 120.

2986 4. Require an annual, notarized, sworn compliance
 2987 statement from participating private schools certifying
 2988 compliance with state laws, and retain such records.

2989 5. Coordinate with the entities conducting the health
 2990 inspection for a private school to obtain copies of the
 2991 inspection reports.

2992 6. Conduct site visits to private schools entering a
 2993 scholarship program for the first time. Beginning with the 2019-
 2994 2020 school year, a private school is not eligible to receive
 2995 scholarship payments until a satisfactory site visit has been
 2996 conducted and the school is in compliance with all other
 2997 requirements of this section.

2998 7. Coordinate with the State Fire Marshal to obtain access
 2999 to fire inspection reports for private schools. The authority
 3000 conducting the fire safety inspection shall certify to the State

Page 120 of 198

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hb7055-01-c1

CS/HB 7055

2018

3001 Fire Marshal that the annual inspection has been completed and
 3002 that the school is in full compliance. The certification shall
 3003 be made electronically or by such other means as directed by the
 3004 State Fire Marshal.

3005 8. Upon the request of a participating private school
 3006 authorized to administer statewide assessments, provide at no
 3007 cost to the school the statewide assessments administered under
 3008 s. 1008.22 and any related materials for administering the
 3009 assessments. Students at a private school may be assessed using
 3010 the statewide assessments if the addition of those students and
 3011 the school does not cause the state to exceed its contractual
 3012 caps for the number of students tested and the number of testing
 3013 sites. The state shall provide the same materials and support to
 3014 a private school that it provides to a public school. A private
 3015 school that chooses to administer statewide assessments under s.
 3016 1008.22 shall follow the requirements set forth in ss. 1008.22
 3017 and 1008.24, rules adopted by the State Board of Education to
 3018 implement those sections, and district-level testing policies
 3019 established by the district school board.

3020 (b) The department may conduct site visits to any private
 3021 school participating in a scholarship program pursuant to this
 3022 chapter that has received a complaint about a violation of state
 3023 law or state board rule pursuant to subparagraph (a)3. or has
 3024 received a notice of noncompliance or a notice of proposed
 3025 action within the previous 2 years.

Page 121 of 198

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb7055-01-c1

CS/HB 7055

2018

3026 (c) Annually, by December 15, the department shall report
 3027 to the Governor, the President of the Senate, and the Speaker of
 3028 the House of Representatives its actions in implementing
 3029 accountability in the scholarship programs under this section,
 3030 any substantiated allegations or violations of law or rule by an
 3031 eligible private school under this section, and the corrective
 3032 action taken.

3033 (3) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—
 3034 The Commissioner of Education:

3035 (a) Shall deny, suspend, or revoke a private school's
 3036 participation in a scholarship program if it is determined that
 3037 the private school has failed to comply with this section or
 3038 exhibits a previous pattern of failure to comply. However, if
 3039 the noncompliance is correctable within a reasonable amount of
 3040 time, not to exceed 45 days, and if the health, safety, or
 3041 welfare of the students is not threatened, the commissioner may
 3042 issue a notice of noncompliance which provides the private
 3043 school with a timeframe within which to provide evidence of
 3044 compliance before taking action to suspend or revoke the private
 3045 school's participation in the scholarship program.

3046 (b) May deny, suspend, or revoke a private school's
 3047 participation in a scholarship program if the commissioner
 3048 determines that an owner or operator of the private school is
 3049 operating or has operated an educational institution in this
 3050 state or in another state or jurisdiction in a manner contrary

Page 122 of 198

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb7055-01-c1

CS/HB 7055

2018

3051 to the health, safety, or welfare of the public or if the owner
 3052 or operator has exhibited a previous pattern of failure to
 3053 comply with this section or specific requirements identified
 3054 within respective scholarship program laws. For purposes of this
 3055 subsection, the term "owner or operator" has the same meaning as
 3056 provided in paragraph (1)(p).

3057 (c)1. In making such a determination, may consider factors
 3058 that include, but are not limited to, acts or omissions by an
 3059 owner or operator which led to a previous denial, suspension, or
 3060 revocation of participation in a state or federal education
 3061 scholarship program; an owner's or operator's failure to
 3062 reimburse the department or scholarship-funding organization for
 3063 scholarship funds improperly received or retained by a school;
 3064 the imposition of a prior criminal sanction related to an
 3065 owner's or operator's management or operation of an educational
 3066 institution; the imposition of a civil fine or administrative
 3067 fine, license revocation or suspension, or program eligibility
 3068 suspension, termination, or revocation related to an owner's or
 3069 operator's management or operation of an educational
 3070 institution; or other types of criminal proceedings in which an
 3071 owner or operator was found guilty of, regardless of
 3072 adjudication, or entered a plea of nolo contendere or guilty to,
 3073 any offense involving fraud, deceit, dishonesty, or moral
 3074 turpitude.

3075 2. The commissioner's determination is subject to the

Page 123 of 198

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hb7055-01-c1

CS/HB 7055

2018

3076 following:

3077 a. If the commissioner intends to deny, suspend, or revoke
 3078 a private school's participation in the scholarship program, the
 3079 department shall notify the private school of such proposed
 3080 action in writing by certified mail and regular mail to the
 3081 private school's address of record with the department. The
 3082 notification shall include the reasons for the proposed action
 3083 and notice of the timelines and procedures set forth in this
 3084 paragraph.

3085 b. The private school that is adversely affected by the
 3086 proposed action shall have 15 days after receipt of the notice
 3087 of proposed action to file with the department's agency clerk a
 3088 request for a proceeding pursuant to ss. 120.569 and 120.57. If
 3089 the private school is entitled to a hearing under s. 120.57(1),
 3090 the department shall forward the request to the Division of
 3091 Administrative Hearings.

3092 c. Upon receipt of a request referred pursuant to this
 3093 subparagraph, the director of the Division of Administrative
 3094 Hearings shall expedite the hearing and assign an administrative
 3095 law judge who shall commence a hearing within 30 days after the
 3096 receipt of the formal written request by the division and enter
 3097 a recommended order within 30 days after the hearing or within
 3098 30 days after receipt of the hearing transcript, whichever is
 3099 later. Each party shall be allowed 10 days in which to submit
 3100 written exceptions to the recommended order. A final order shall

Page 124 of 198

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb7055-01-c1

CS/HB 7055

2018

3101 be entered by the agency within 30 days after the entry of a
 3102 recommended order. The provisions of this sub-subparagraph may
 3103 be waived upon stipulation by all parties.

3104 (d) May immediately suspend payment of scholarship funds
 3105 if it is determined that there is probable cause to believe that
 3106 there is:

3107 1. An imminent threat to the health, safety, or welfare of
 3108 the students;

3109 2. A previous pattern of failure to comply with this
 3110 section; or

3111 3. Fraudulent activity on the part of the private school.
 3112 Notwithstanding s. 1002.22, in incidents of alleged fraudulent
 3113 activity pursuant to this section, the department's Office of
 3114 Inspector General is authorized to release personally
 3115 identifiable records or reports of students to the following
 3116 persons or organizations:

3117 a. A court of competent jurisdiction in compliance with an
 3118 order of that court or the attorney of record in accordance with
 3119 a lawfully issued subpoena, consistent with the Family
 3120 Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

3121 b. A person or entity authorized by a court of competent
 3122 jurisdiction in compliance with an order of that court or the
 3123 attorney of record pursuant to a lawfully issued subpoena,
 3124 consistent with the Family Educational Rights and Privacy Act,
 3125 20 U.S.C. s. 1232g.

Page 125 of 198

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb7055-01-c1

CS/HB 7055

2018

3126 c. Any person, entity, or authority issuing a subpoena for
 3127 law enforcement purposes when the court or other issuing agency
 3128 has ordered that the existence or the contents of the subpoena
 3129 or the information furnished in response to the subpoena not be
 3130 disclosed, consistent with the Family Educational Rights and
 3131 Privacy Act, 20 U.S.C. s. 1232g, and 34 C.F.R. s. 99.31.

3132 The commissioner's order suspending payment pursuant to this
 3133 paragraph may be appealed pursuant to the same procedures and
 3134 timelines as the notice of proposed action set forth in
 3135 subparagraph (c)2.

3137 (4)(6) The inclusion of eligible private schools within
 3138 options available to Florida public school students does not
 3139 expand the regulatory authority of the state, its officers, or
 3140 any school district to impose any additional regulation of
 3141 private schools beyond those reasonably necessary to enforce
 3142 requirements expressly set forth in this section.

3143 (5)(7) The State Board of Education shall adopt rules
 3144 pursuant to ss. 120.536(1) and 120.54 to administer this
 3145 section, including rules to establish a deadline for private
 3146 school applications for participation and timelines for the
 3147 department to conduct site visits.

3148 Section 26. Subsection (2) of section 1003.42, Florida
 3149 Statutes, is amended to read:

3150 1003.42 Required instruction.—

Page 126 of 198

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb7055-01-c1

CS/HB 7055

2018

3151 (2) Members of the instructional staff of the public
 3152 schools, subject to the rules of the State Board of Education
 3153 and the district school board, shall teach efficiently and
 3154 faithfully, using the books and materials required that meet the
 3155 highest standards for professionalism and historical accuracy,
 3156 following the prescribed courses of study, and employing
 3157 approved methods of instruction, the following:

3158 (a) The history and content of the Declaration of
 3159 Independence, including national sovereignty, natural law, self-
 3160 evident truth, equality of all persons, limited government,
 3161 popular sovereignty, and inalienable rights of life, liberty,
 3162 and property, and how they form the philosophical foundation of
 3163 our government.

3164 (b) The history, meaning, significance, and effect of the
 3165 provisions of the Constitution of the United States and
 3166 amendments thereto, with emphasis on each of the 10 amendments
 3167 that make up the Bill of Rights and how the constitution
 3168 provides the structure of our government.

3169 (c) The arguments in support of adopting our republican
 3170 form of government, as they are embodied in the most important
 3171 of the Federalist Papers.

3172 (d) Flag education, including proper flag display and flag
 3173 salute.

3174 (e) The elements of civil government, including the
 3175 primary functions of and interrelationships between the Federal

Page 127 of 198

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb7055-01-c1

CS/HB 7055

2018

3176 Government, the state, and its counties, municipalities, school
 3177 districts, and special districts.

3178 (f) The history of the United States, including the period
 3179 of discovery, early colonies, the War for Independence, the
 3180 Civil War, the expansion of the United States to its present
 3181 boundaries, the world wars, and the civil rights movement to the
 3182 present. American history shall be viewed as factual, not as
 3183 constructed, shall be viewed as knowable, teachable, and
 3184 testable, and shall be defined as the creation of a new nation
 3185 based largely on the universal principles stated in the
 3186 Declaration of Independence.

3187 (g) The history of the Holocaust (1933-1945), the
 3188 systematic, planned annihilation of European Jews and other
 3189 groups by Nazi Germany, a watershed event in the history of
 3190 humanity, to be taught in a manner that leads to an
 3191 investigation of human behavior, an understanding of the
 3192 ramifications of prejudice, racism, and stereotyping, and an
 3193 examination of what it means to be a responsible and respectful
 3194 person, for the purposes of encouraging tolerance of diversity
 3195 in a pluralistic society and for nurturing and protecting
 3196 democratic values and institutions.

3197 (h) The history of African Americans, including the
 3198 history of African peoples before the political conflicts that
 3199 led to the development of slavery, the passage to America, the
 3200 enslavement experience, abolition, and the contributions of

Page 128 of 198

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb7055-01-c1

CS/HB 7055

2018

3201 African Americans to society. Instructional materials shall
 3202 include the contributions of African Americans to American
 3203 society.

3204 (i) The elementary principles of agriculture.

3205 (j) The true effects of all alcoholic and intoxicating
 3206 liquors and beverages and narcotics upon the human body and
 3207 mind.

3208 (k) Kindness to animals.

3209 (l) The history of the state.

3210 (m) The conservation of natural resources.

3211 (n) Comprehensive health education that addresses concepts
 3212 of community health; consumer health; environmental health;
 3213 family life, including an awareness of the benefits of sexual
 3214 abstinence as the expected standard and the consequences of
 3215 teenage pregnancy; mental and emotional health; injury
 3216 prevention and safety; Internet safety; nutrition; personal
 3217 health; prevention and control of disease; and substance use and
 3218 abuse. The health education curriculum for students in grades 7
 3219 through 12 shall include a teen dating violence and abuse
 3220 component that includes, but is not limited to, the definition
 3221 of dating violence and abuse, the warning signs of dating
 3222 violence and abusive behavior, the characteristics of healthy
 3223 relationships, measures to prevent and stop dating violence and
 3224 abuse, and community resources available to victims of dating
 3225 violence and abuse.

Page 129 of 198

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb7055-01-c1

CS/HB 7055

2018

3226 (o) Such additional materials, subjects, courses, or
 3227 fields in such grades as are prescribed by law or by rules of
 3228 the State Board of Education and the district school board in
 3229 fulfilling the requirements of law.

3230 (p) The study of Hispanic contributions to the United
 3231 States.

3232 (q) The study of women's contributions to the United
 3233 States.

3234 (r) The nature and importance of free enterprise to the
 3235 United States economy.

3236 (s) A character-development program in the elementary
 3237 schools, similar to Character First or Character Counts, which
 3238 is secular in nature. Beginning in school year 2004-2005, the
 3239 character-development program shall be required in kindergarten
 3240 through grade 12. Each district school board shall develop or
 3241 adopt a curriculum for the character-development program that
 3242 shall be submitted to the department for approval. The
 3243 character-development curriculum shall stress the qualities of
 3244 patriotism; responsibility; citizenship; kindness; respect for
 3245 authority, life, liberty, and personal property; honesty;
 3246 charity; self-control; racial, ethnic, and religious tolerance;
 3247 and cooperation. The character-development curriculum for grades
 3248 9 through 12 shall, at a minimum, include instruction on
 3249 developing leadership skills, interpersonal skills, organization
 3250 skills, and research skills; creating a resume; developing and

Page 130 of 198

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hb7055-01-c1

CS/HB 7055

2018

3251 practicing the skills necessary for employment interviews;
 3252 conflict resolution, workplace ethics, and workplace law;
 3253 managing stress and expectations; and developing skills that
 3254 enable students to become more resilient and self-motivated.

3255 (t) In order to encourage patriotism, the sacrifices that
 3256 veterans and Medal of Honor recipients have made in serving our
 3257 country and protecting democratic values worldwide. Such
 3258 instruction must occur on or before Medal of Honor Day,
 3259 Veterans' Day, and Memorial Day. Members of the instructional
 3260 staff are encouraged to use the assistance of local veterans and and
 3261 Medal of Honor recipients when practicable.

3262
 3263 The State Board of Education is encouraged to adopt standards
 3264 and pursue assessment of the requirements of this subsection. A
 3265 character development program that incorporates the values of
 3266 the recipients of the Congressional Medal of Honor and that is
 3267 offered as part of a social studies, English Language Arts, or
 3268 other schoolwide character building and veteran awareness
 3269 initiative meets the requirements of paragraphs (s) and (t).

3270 Section 27. Section 1003.576, Florida Statutes, is amended
 3271 to read:

3272 1003.576 Individual education plans for exceptional
 3273 students.—The Department of Education must develop and have an
 3274 operating electronic IEP system in place for ~~potential~~ statewide
 3275 use ~~no later than July 1, 2007~~. The statewide system shall be

Page 131 of 198

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hb7055-01-c1

CS/HB 7055

2018

3276 developed collaboratively with school districts and must include
 3277 input from school districts currently developing or operating
 3278 electronic IEP systems.

3279 Section 28. Subsection (6) of section 1006.07, Florida
 3280 Statutes, is amended to read:

3281 1006.07 District school board duties relating to student
 3282 discipline and school safety.—The district school board shall
 3283 provide for the proper accounting for all students, for the
 3284 attendance and control of students at school, and for proper
 3285 attention to health, safety, and other matters relating to the
 3286 welfare of students, including:

3287 (6) SAFETY AND SECURITY BEST PRACTICES.—~~Each school~~
 3288 ~~district shall Use the Safety and Security Best Practices~~
 3289 ~~developed by the Office of Program Policy Analysis and~~
 3290 ~~Government Accountability to~~ conduct a security risk assessment
 3291 at each public school and conduct a self-assessment of the
 3292 school districts' current safety and security practices using a
 3293 format prescribed by the department. Based on these assessment
 3294 ~~self-assessment~~ findings, the district school superintendent
 3295 shall provide recommendations to the district school board which
 3296 identify strategies and activities that the district school
 3297 board should implement in order to improve school safety and
 3298 security. Annually, each district school board must receive such
 3299 findings and the superintendent's recommendations ~~the self-~~
 3300 ~~assessment results~~ at a publicly noticed district school board

Page 132 of 198

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hb7055-01-c1

CS/HB 7055

2018

3301 meeting to provide the public an opportunity to hear the
 3302 district school board members discuss and take action on the
 3303 ~~report~~ findings and recommendations. Each district school
 3304 superintendent shall report such findings ~~the self assessment~~
 3305 ~~results~~ and school board action to the commissioner within 30
 3306 days after the district school board meeting.

3307 Section 29. Subsection (13) and paragraph (b) of
 3308 subsection (24) of section 1007.271, Florida Statutes, are
 3309 amended to read:

3310 1007.271 Dual enrollment programs.—

3311 (13)(a) The dual enrollment program for a home education
 3312 student, including, but not limited to, students with
 3313 disabilities, consists of the enrollment of an eligible home
 3314 education secondary student in a postsecondary course creditable
 3315 toward an associate degree, a career certificate, or a
 3316 baccalaureate degree. To participate in the dual enrollment
 3317 program, an eligible home education secondary student must:

3318 1. Provide proof of enrollment in a home education program
 3319 pursuant to s. 1002.41.

3320 2. Be responsible for his or her own ~~instructional~~
 3321 ~~materials and~~ transportation unless provided for in the
 3322 articulation agreement.

3323 3. Sign a home education articulation agreement pursuant
 3324 to paragraph (b).

3325 (b) Each postsecondary institution eligible to participate

Page 133 of 198

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hb7055-01-c1

CS/HB 7055

2018

3326 in the dual enrollment program pursuant to s. 1011.62(1)(i) must
 3327 enter into a home education articulation agreement with each
 3328 home education student seeking enrollment in a dual enrollment
 3329 course and the student's parent. By August 1 of each year, the
 3330 eligible postsecondary institution shall complete and submit the
 3331 home education articulation agreement to the Department of
 3332 Education. The home education articulation agreement must
 3333 include, at a minimum:

3334 1. A delineation of courses and programs available to
 3335 dually enrolled home education students. Courses and programs
 3336 may be added, revised, or deleted at any time by the
 3337 postsecondary institution.

3338 2. The initial and continued eligibility requirements for
 3339 home education student participation, not to exceed those
 3340 required of other dually enrolled students.

3341 3. The student's responsibilities for providing his or her
 3342 own ~~instructional materials and~~ transportation.

3343 4. A copy of the statement on transfer guarantees
 3344 developed by the Department of Education under subsection (15).
 3345 (24)

3346 (b) Each postsecondary institution eligible to participate
 3347 in the dual enrollment program pursuant to s. 1011.62(1)(i) must
 3348 enter into a private school articulation agreement with each
 3349 eligible private school in its geographic service area seeking
 3350 to offer dual enrollment courses to its students, including, but

Page 134 of 198

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hb7055-01-c1

CS/HB 7055

2018

3351 not limited to, students with disabilities. By August 1 of each
 3352 year, the eligible postsecondary institution shall complete and
 3353 submit the private school articulation agreement to the
 3354 Department of Education. The private school articulation
 3355 agreement must include, at a minimum:

3356 1. A delineation of courses and programs available to the
 3357 private school student. The postsecondary institution may add,
 3358 revise, or delete courses and programs at any time.

3359 2. The initial and continued eligibility requirements for
 3360 private school student participation, not to exceed those
 3361 required of other dual enrollment students.

3362 3. The student's responsibilities for providing his or her
 3363 own instructional materials and transportation.

3364 4. A provision clarifying that the private school will
 3365 award appropriate credit toward high school completion for the
 3366 postsecondary course under the dual enrollment program.

3367 5. A provision expressing that costs associated with
 3368 tuition and fees, including registration, and laboratory fees,
 3369 will not be passed along to the student.

3370 ~~6. A provision stating whether the private school will~~
 3371 ~~compensate the postsecondary institution for the standard~~
 3372 ~~tuition rate per credit hour for each dual enrollment course~~
 3373 ~~taken by its students.~~

3374 Section 30. Paragraphs (a) and (d) of subsection (3) and
 3375 paragraph (a) of subsection (8) of section 1008.22, Florida

Page 135 of 198

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hb7055-01-c1

CS/HB 7055

2018

3376 Statutes, are amended to read:

3377 1008.22 Student assessment program for public schools.—

3378 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
 3379 Commissioner of Education shall design and implement a
 3380 statewide, standardized assessment program aligned to the core
 3381 curricular content established in the Next Generation Sunshine
 3382 State Standards. The commissioner also must develop or select
 3383 and implement a common battery of assessment tools that will be
 3384 used in all juvenile justice education programs in the state.
 3385 These tools must accurately measure the core curricular content
 3386 established in the Next Generation Sunshine State Standards.
 3387 Participation in the assessment program is mandatory for all
 3388 school districts and all students attending public schools,
 3389 including adult students seeking a standard high school diploma
 3390 under s. 1003.4282 and students in Department of Juvenile
 3391 Justice education programs, except as otherwise provided by law.
 3392 If a student does not participate in the assessment program, the
 3393 school district must notify the student's parent and provide the
 3394 parent with information regarding the implications of such
 3395 nonparticipation. The statewide, standardized assessment program
 3396 shall be designed and implemented as follows:

3397 (a) Statewide, standardized comprehensive assessments.—The
 3398 statewide, standardized Reading assessment shall be administered
 3399 annually in grades 3 through 10. The statewide, standardized
 3400 Writing assessment shall be administered annually at least once

Page 136 of 198

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hb7055-01-c1

CS/HB 7055

2018

3401 at the elementary, middle, and high school levels. When the
 3402 Reading and Writing assessments are replaced by English Language
 3403 Arts (ELA) assessments, ELA assessments shall be administered to
 3404 students in grades 3 through 10. Retake opportunities for the
 3405 grade 10 Reading assessment or, upon implementation, the grade
 3406 10 ELA assessment must be provided. Students taking the ELA
 3407 assessments shall not take the statewide, standardized
 3408 assessments in Reading or Writing. Reading passages and writing
 3409 prompts for ELA assessments shall incorporate grade-level core
 3410 curricula content from social studies ~~be administered online.~~
 3411 The statewide, standardized Mathematics assessments shall be
 3412 administered annually in grades 3 through 8. Students taking a
 3413 revised Mathematics assessment shall not take the discontinued
 3414 assessment. The statewide, standardized Science assessment shall
 3415 be administered annually at least once at the elementary and
 3416 middle grades levels. In order to earn a standard high school
 3417 diploma, a student who has not earned a passing score on the
 3418 grade 10 Reading assessment or, upon implementation, the grade
 3419 10 ELA assessment must earn a passing score on the assessment
 3420 retake or earn a concordant score as authorized under subsection
 3421 (9).

3422 (d) Implementation schedule.—

3423 1. The Commissioner of Education shall establish and
 3424 publish on the department's website an implementation schedule
 3425 to transition from the statewide, standardized Reading and

Page 137 of 198

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hb7055-01-c1

CS/HB 7055

2018

3426 Writing assessments to the ELA assessments and to the revised
 3427 Mathematics assessments, including the Algebra I and Geometry
 3428 EOC assessments. The schedule must take into consideration
 3429 funding, sufficient field and baseline data, access to
 3430 assessments, instructional alignment, and school district
 3431 readiness to administer the assessments online. All such
 3432 assessments must be delivered through computer-based testing,
 3433 ~~however, the following assessments must be delivered in a~~
 3434 ~~computer based format, as follows: the grade 3 Mathematics~~
 3435 ~~assessment beginning in the 2016-2017 school year; the grade 4~~
 3436 ~~ELA assessment, beginning in the 2015-2016 school year; and the~~
 3437 ~~grade 4 Mathematics assessment, beginning in the 2016-2017~~
 3438 ~~school year.~~ Notwithstanding the requirements of this
 3439 subparagraph, statewide, standardized ELA and mathematics
 3440 assessments in grades 3 through 6 must be delivered only in a
 3441 paper-based format, ~~beginning with the 2017-2018 school year,~~
 3442 ~~and all such assessments must be paper-based~~ no later than the
 3443 2018-2019 school year, and statewide, standardized ELA and
 3444 mathematics assessments in grades 7 and 8 must be delivered only
 3445 in a paper-based format no later than the 2019-2020 school year.

3446 2. The Department of Education shall publish minimum and
 3447 recommended technology requirements that include specifications
 3448 for hardware, software, networking, security, and broadband
 3449 capacity to facilitate school district compliance with the
 3450 requirements of this section.

Page 138 of 198

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hb7055-01-c1

CS/HB 7055

2018

3451 (8) PUBLICATION OF ASSESSMENTS.—To promote transparency in
 3452 the statewide assessment program, in any procurement for the ELA
 3453 assessment in grades 3 through 10 and the mathematics assessment
 3454 in grades 3 through 8, the Department of Education shall solicit
 3455 cost proposals for publication of the state assessments on its
 3456 website in accordance with this subsection.

3457 (a) The department shall publish each assessment
 3458 administered under paragraph (3)(a) and subparagraph (3)(b)1.,
 3459 excluding assessment retakes, at least once on a triennial basis
 3460 pursuant to a schedule determined by the Commissioner of
 3461 Education. Each assessment, when published, must have been
 3462 administered during the most recent school year and be in a
 3463 format that facilitates the sharing of assessment items.

3464 Section 31. Subsection (2) of section 1010.20, Florida
 3465 Statutes, is amended to read:

3466 1010.20 Cost accounting and reporting for school
 3467 districts.—

3468 (2) COST REPORTING.—

3469 (a) Each district shall report on a district-aggregate
 3470 basis expenditures for inservice training pursuant to s.
 3471 1011.62(3) and for categorical programs as provided in s.
 3472 1011.62(6).

3473 (b) Each district shall report to the department on a
 3474 school-by-school and on an aggregate district basis expenditures
 3475 for:

Page 139 of 198

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hb7055-01-c1

CS/HB 7055

2018

3476 1. Each program funded in s. 1011.62(1)(c).

3477 2. Total operating costs as reported pursuant to s.
 3478 1010.215.

3479 3. Expenditures for classroom instruction pursuant to the
 3480 calculation in s. 1010.215(4)(b)1. and 2.

3481 (c) The department shall:

3482 1. Categorize all public schools and public school
 3483 districts into appropriate groups based primarily on average
 3484 full-time equivalent student enrollment as reported on the most
 3485 recent student membership survey under s. 1011.62 and in state
 3486 board rule to determine groups of peer schools and districts.

3487 2. Annually calculate for each public school, public
 3488 school district, and the entire state the percentage of
 3489 classroom expenditures to total operating expenditures reported
 3490 in subparagraphs (b)2. and 3. The results shall be categorized
 3491 pursuant to this paragraph.

3492 3. Annually calculate for all public schools, public
 3493 school districts, and the state the average percentage of
 3494 classroom expenditures to total operating expenditures reported
 3495 in subparagraphs (b)2. and 3. The results shall be categorized
 3496 pursuant to this paragraph.

3497 4. Develop a web-based fiscal transparency tool that
 3498 identifies public schools and public school districts that
 3499 produce high academic achievement based on the ratio of
 3500 classroom instruction expenditures to total expenditures. The

Page 140 of 198

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hb7055-01-c1

CS/HB 7055

2018

3501 fiscal transparency tool shall combine the data calculated
 3502 pursuant to this paragraph with the student performance
 3503 measurements calculated pursuant to s. 1012.34(7) to determine
 3504 the financial efficiency of each public school and public school
 3505 district. The results shall be displayed in an easy-to-use
 3506 format that enables the user to compare performance among public
 3507 schools and public school districts.

3508 (d)(e) The Commissioner of Education shall present to the
 3509 Legislature, prior to the opening of the regular session each
 3510 year, a district-by-district report of the expenditures reported
 3511 pursuant to paragraphs (a) and (b). The report shall include
 3512 total expenditures, a detailed analysis showing expenditures for
 3513 each program, and such other data as may be useful for
 3514 management of the education system. The Commissioner of
 3515 Education shall also compute cost factors relative to the base
 3516 student allocation for each funded program in s. 1011.62(1)(c).

3517 Section 32. Subsection (2) of section 1010.30, Florida
 3518 Statutes, is amended to read:

3519 1010.30 Audits required.—

3520 (2) If an audit contains a significant deficiency or
 3521 material weakness finding, the district school board, the
 3522 Florida College System institution board of trustees, or the
 3523 university board of trustees shall conduct an audit overview
 3524 during a public meeting. The audit overview shall describe the
 3525 corrective action to be taken and a timeline for completion of

Page 141 of 198

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hb7055-01-c1

CS/HB 7055

2018

3526 such action.

3527 Section 33. Paragraph (a) of subsection (3) of section
 3528 1011.01, Florida Statutes, is amended to read:

3529 1011.01 Budget system established.—

3530 (3)(a) Each district school board and each Florida College
 3531 System institution board of trustees shall prepare, adopt, and
 3532 submit to the Commissioner of Education an annual operating
 3533 budget. Operating budgets shall be prepared and submitted in
 3534 accordance with the provisions of law, rules of the State Board
 3535 of Education, the General Appropriations Act, and for district
 3536 school boards in accordance with the provisions of s. 200.065
 3537 ~~ss. 200.065 and 1011.64.~~

3538 Section 34. Subsection (2) of section 1011.03, Florida
 3539 Statutes, is amended to read:

3540 1011.03 Public hearings; budget to be submitted to
 3541 Department of Education.—

3542 ~~(2) The advertisement of a district that has been required~~
 3543 ~~by the Legislature to increase classroom expenditures pursuant~~
 3544 ~~to s. 1011.64 must include the following statement:~~
 3545 ~~"This proposed budget reflects an increase in classroom~~
 3546 ~~expenditures as a percent of total current operating~~
 3547 ~~expenditures of XX percent over the (previous fiscal year)~~
 3548 ~~fiscal year. This increase in classroom expenditures is required~~
 3549 ~~by the Legislature because the district has performed below the~~
 3550 ~~required performance standard on XX of XX student performance~~

Page 142 of 198

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hb7055-01-c1

CS/HB 7055

2018

standards for the ~~(previous school year) school year. In order to achieve the legislatively required level of classroom expenditures as a percentage of total operating expenditures, the proposed budget includes an increase in overall classroom expenditures of \$XX,XXX,XXX above the amount spent for this same purpose during the (previous fiscal year) fiscal year. In order to achieve improved student academic performance, this proposed increase is being budgeted for the following activities:~~
~~...(list activities and amount budgeted)...."~~

Section 35. Subsection (2) of section 1011.035, Florida Statutes, is amended to read:

1011.035 School district fiscal budget transparency.—

(2) Each district school board shall post on its website a plain language version of each proposed, tentative, and official budget which describes each budget item in terms that are easily understandable to the public and includes:

(a) Graphical representations, for each public school within the district and for the school district, of the following:

1. Summary financial efficiency data.

2. Fiscal trend information for the previous 3 years on:

a. The ratio of full-time equivalent students to full-time equivalent instructional personnel.

b. The ratio of full-time equivalent students to full-time equivalent administrative personnel.

Page 143 of 198

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hb7055-01-c1

CS/HB 7055

2018

c. The total operating expenditures per full-time equivalent student.

d. The total instructional expenditures per full-time equivalent student.

e. The general administrative expenditures as a percentage of the total budget.

f. The rate of change in the general fund's ending fund balance which is not classified as restricted.

(b) A link to the web-based fiscal transparency tool developed by the department pursuant to s. 1010.20 to enable taxpayers to evaluate the financial efficiency of the school district and compare the financial efficiency of the school district with other similarly situated school districts.

This information must be prominently posted on the school district's website in a manner that is readily accessible to the public.

Section 36. Subsections (1) and (2) of section 1011.051, Florida Statutes, are amended to read:

1011.051 Guidelines for general funds.—The district school board shall maintain a general fund ending fund balance that is sufficient to address normal contingencies.

(1) If at any time the portion of the general fund's ending fund balance not classified as restricted, committed, or nonspendable in the district's approved operating budget is

Page 144 of 198

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hb7055-01-c1

CS/HB 7055

2018

3601 projected to fall below 3 percent of projected general fund
 3602 revenues during the current fiscal year, the superintendent
 3603 shall provide written notification to the district school board
 3604 and the Commissioner of Education. If such financial condition
 3605 exists for 2 consecutive fiscal years, the superintendent shall
 3606 reduce the district's administrative expenditures reported
 3607 pursuant to s. 1010.215(4) (a) in proportion to the reduction in
 3608 the general fund's ending balance or the reduction in student
 3609 enrollment, whichever is greater.

3610 (2) (a) If at any time the portion of the general fund's
 3611 ending fund balance not classified as restricted, committed, or
 3612 nonspendable in the district's approved operating budget is
 3613 projected to fall below 2 percent of projected general fund
 3614 revenues during the current fiscal year, the superintendent
 3615 shall provide written notification to the district school board
 3616 and the Commissioner of Education. Within 14 days after
 3617 receiving such notification, if the commissioner determines that
 3618 the district does not have a plan that is reasonably anticipated
 3619 to avoid a financial emergency as determined pursuant to s.
 3620 218.503, the commissioner shall appoint a financial emergency
 3621 board that shall operate under the requirements, powers, and
 3622 duties specified in s. 218.503(3) (g).

3623 (b) If any of the conditions identified in s. 218.503(1)
 3624 existed in the 2015-2016 school year or thereafter, the
 3625 department shall contract with an independent third party to

Page 145 of 198

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hb7055-01-c1

CS/HB 7055

2018

3626 conduct an investigation of all accounts and records to
 3627 determine the cause of the deficit; what efforts, if any, were
 3628 made to avoid the deficit; and whether any of the conditions
 3629 identified in s. 1011.10 have occurred. The investigation must
 3630 include a detailed review and analysis of documents and records,
 3631 including, but not limited to, budget reports, journal entries,
 3632 budget methodologies, staff emails, hard copy records, monthly
 3633 financial statements, quarterly revenue and expenditure reports,
 3634 finance staff job descriptions, and minutes from meetings. The
 3635 results of the investigation must include recommendations for
 3636 corrective action and controls to avoid a reoccurrence of a
 3637 future budget shortfall. A final report shall be provided to the
 3638 district school board, the department, the Legislative Auditing
 3639 Committee, and the district's financial emergency board, if
 3640 applicable.

3641 Section 37. Subsection (2) of section 1011.06, Florida
 3642 Statutes, is amended to read:

3643 1011.06 Expenditures.—

3644 (2) EXPENDITURES FROM DISTRICT AND OTHER FUNDS.—
 3645 Expenditures from district and all other funds available for the
 3646 public school program of any district shall be authorized by law
 3647 and must be in accordance with procedures prescribed by the
 3648 district school board. A district school board may establish
 3649 policies that allow expenditures to exceed the amount budgeted
 3650 by function and object, provided that the district school board

Page 146 of 198

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hb7055-01-c1

CS/HB 7055

2018

3651 complies with s. 1011.09(4) and approves the expenditure by
 3652 amending and amends the budget at the next scheduled public
 3653 meeting. The district school board must provide a full
 3654 explanation of any amendments at the public meeting within
 3655 timelines established by school board policies.

3656 Section 38. Subsection (4) of section 1011.09, Florida
 3657 Statutes, is amended to read:

3658 1011.09 Expenditure of funds by district school board.—All
 3659 state funds apportioned to the credit of any district constitute
 3660 a part of the district school fund of that district and must be
 3661 budgeted and expended under authority of the district school
 3662 board subject to the provisions of law and rules of the State
 3663 Board of Education.

3664 (4) If the financial conditions in s. 1011.051 exist, a
 3665 district school board During the 2009-2010 fiscal year, unless
 3666 otherwise specifically approved by the district school board,
 3667 public funds may not make expenditures be expended for out-of-
 3668 state travel outside of the district or cellular phones,
 3669 cellular phone service, personal digital assistants, or any
 3670 other mobile wireless communication device or service, including
 3671 text messaging, whether through purchasing, leasing,
 3672 contracting, or any other method, while the financial conditions
 3673 exist. The expenditure of public funds for art programs, music
 3674 programs, sports programs, and extracurricular programs for
 3675 students is a higher priority than expending funds for employee

Page 147 of 198

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hb7055-01-c1

CS/HB 7055

2018

3676 travel and cellular phones.

3677 Section 39. Subsection (3) is added to section 1011.10,
 3678 Florida Statutes, to read:

3679 1011.10 Penalty.—

3680 (3) If any of the conditions identified in s. 218.503(1)
 3681 exist within a school district, the salary of each district
 3682 school board member and district school superintendent,
 3683 calculated pursuant to ss. 1001.395 and 1001.47, shall be
 3684 withheld until the conditions are corrected.

3685 Section 40. Subsection (8) of section 1011.60, Florida
 3686 Statutes, is amended to read:

3687 1011.60 Minimum requirements of the Florida Education
 3688 Finance Program.—Each district which participates in the state
 3689 appropriations for the Florida Education Finance Program shall
 3690 provide evidence of its effort to maintain an adequate school
 3691 program throughout the district and shall meet at least the
 3692 following requirements:

3693 ~~(8) MINIMUM CLASSROOM EXPENDITURE REQUIREMENTS. Comply~~
 3694 ~~with the minimum classroom expenditure requirements and~~
 3695 ~~associated reporting pursuant to s. 1011.64.~~

3696 Section 41. Paragraphs (f), (o), and (t) of subsection
 3697 (1), paragraph (b) of subsection (6), and paragraphs (a), (c),
 3698 and (d) of subsection (9) of section 1011.62, Florida Statutes,
 3699 are amended to read:

3700 1011.62 Funds for operation of schools.—If the annual

Page 148 of 198

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hb7055-01-c1

CS/HB 7055

2018

3701 allocation from the Florida Education Finance Program to each
 3702 district for operation of schools is not determined in the
 3703 annual appropriations act or the substantive bill implementing
 3704 the annual appropriations act, it shall be determined as
 3705 follows:

3706 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
 3707 OPERATION.—The following procedure shall be followed in
 3708 determining the annual allocation to each district for
 3709 operation:

3710 (f) Supplemental academic instruction allocation;
 3711 ~~category fund.~~—

3712 1. There is created the supplemental academic instruction
 3713 allocation a category fund to provide supplemental academic
 3714 instruction to students in kindergarten through grade 12. ~~This~~
 3715 ~~paragraph may be cited as the "Supplemental Academic Instruction~~
 3716 ~~Category Fund."~~

3717 2. The supplemental academic instruction allocation shall
 3718 be provided annually in the Florida Education Finance Program as
 3719 specified in the General Appropriations Act. These funds are
 3720 ~~category fund is~~ in addition to the funds appropriated on the
 3721 basis of FTE student membership in the Florida Education Finance
 3722 Program and shall be included in the total potential funds of
 3723 each district. Beginning with the 2018-2019 fiscal year, These
 3724 ~~funds shall be used to provide supplemental academic instruction~~
 3725 ~~to students enrolled in the K-12 program.~~ each school district

Page 149 of 198

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hb7055-01-c1

CS/HB 7055

2018

3726 that has a school earning a grade of "D" or "F" pursuant to s.
 3727 1008.34 must use that school's portion of the supplemental
 3728 academic instruction allocation to implement the intervention
 3729 and support strategies for school improvement pursuant to s.
 3730 1008.33 and for salary incentives pursuant to s. 1012.2315(3) or
 3731 salary supplements pursuant to s. 1012.22(1)(c)5.c. that are
 3732 provided through a memorandum of understanding between the
 3733 collective bargaining agent and the school board that addresses
 3734 the selection, placement, and expectations of instructional
 3735 personnel and school administrators. For all other schools, the
 3736 school district's use of the supplemental academic instruction
 3737 allocation one or more of the 300 lowest-performing elementary
 3738 ~~schools based on the state reading assessment for the prior year~~
 3739 ~~shall use these funds, together with the funds provided in the~~
 3740 ~~district's research-based reading instruction allocation and~~
 3741 ~~other available funds, to provide an additional hour of~~
 3742 ~~instruction beyond the normal school day for each day of the~~
 3743 ~~entire school year for intensive reading instruction for the~~
 3744 ~~students in each of these schools. This additional hour of~~
 3745 ~~instruction must be provided by teachers or reading specialists~~
 3746 ~~who have demonstrated effectiveness in teaching reading or by a~~
 3747 ~~K-5 mentoring reading program that is supervised by a teacher~~
 3748 ~~who is effective at teaching reading. Students enrolled in these~~
 3749 ~~schools who have level 5 assessment scores may participate in~~
 3750 ~~the additional hour of instruction on an optional basis.~~

Page 150 of 198

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hb7055-01-c1

CS/HB 7055

2018

3751 ~~Exceptional student education centers shall not be included in~~
 3752 ~~the 300 schools. The designation of the 300 lowest-performing~~
 3753 ~~elementary schools must be based on the state reading assessment~~
 3754 ~~for the prior year. After this requirement has been met,~~
 3755 ~~supplemental instruction strategies may include, but is are not~~
 3756 ~~limited to, the use of a modified curriculum, reading~~
 3757 ~~instruction, after-school instruction, tutoring, mentoring, a~~
 3758 ~~reduction in class size, extended school year, intensive skills~~
 3759 ~~development in summer school, dropout prevention programs as~~
 3760 ~~defined in ss. 1003.52 and 1003.53(1) (a), (b), and (c), and~~
 3761 ~~other methods of improving student achievement. Supplemental~~
 3762 ~~academic instruction may be provided to a student in any manner~~
 3763 ~~and at any time during or beyond the regular 180-day term~~
 3764 ~~identified by the school as being the most effective and~~
 3765 ~~efficient way to best help that student progress from grade to~~
 3766 ~~grade and to graduate.~~

3767 3. ~~Categorical funds for supplemental academic instruction~~
 3768 ~~shall be provided annually in the Florida Education Finance~~
 3769 ~~Program as specified in the General Appropriations Act. These~~
 3770 ~~funds shall be provided as a supplement to the funds~~
 3771 ~~appropriated for the basic funding level and shall be included~~
 3772 ~~in the total funds of each district. The supplemental academic~~
 3773 ~~instruction allocation shall consist of a base amount that has a~~
 3774 ~~workload adjustment based on changes in unweighted FTE. ~~In~~~~
 3775 ~~addition, districts that have elementary schools included in the~~

Page 151 of 198

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hb7055-01-c1

CS/HB 7055

2018

3776 ~~300 lowest-performing schools designation shall be allocated~~
 3777 ~~additional funds to assist those districts in providing~~
 3778 ~~intensive reading instruction to students in those schools. The~~
 3779 ~~amount provided shall be based on each district's level of per-~~
 3780 ~~student funding in the reading instruction allocation and the~~
 3781 ~~supplemental academic instruction categorical fund and on the~~
 3782 ~~total FTE for each of the schools. The supplemental academic~~
 3783 ~~instruction allocation categorical funding shall be recalculated~~
 3784 ~~during the fiscal year following an updated designation of the~~
 3785 ~~300 lowest-performing elementary schools and shall be based on~~
 3786 ~~actual student membership from the FTE surveys. Upon~~
 3787 ~~recalculation of funding for the supplemental academic~~
 3788 ~~instruction allocation categorical fund, if the total allocation~~
 3789 ~~is greater than the amount provided in the General~~
 3790 ~~Appropriations Act, the allocation shall be prorated to the~~
 3791 ~~level provided to support the appropriation, based on each~~
 3792 ~~district's share of the total.~~

3793 4. ~~Effective with the 1999-2000 fiscal year,~~ Funding on
 3794 the basis of FTE membership beyond the 180-day regular term
 3795 shall be provided in the FEFP only for students enrolled in
 3796 juvenile justice education programs or in education programs for
 3797 juveniles placed in secure facilities or programs under s.
 3798 985.19. Funding for instruction beyond the regular 180-day
 3799 school year for all other K-12 students shall be provided
 3800 through the supplemental academic instruction allocation and

Page 152 of 198

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hb7055-01-c1

CS/HB 7055

2018

3801 other state, federal, and local fund sources with ample
 3802 flexibility for schools to provide supplemental instruction to
 3803 assist students in progressing from grade to grade and
 3804 graduating.

3805 ~~5. The Florida State University School, as a lab school,~~
 3806 ~~is authorized to expend from its FEF or Lottery Enhancement~~
 3807 ~~Trust Fund allocation the cost to the student of remediation in~~
 3808 ~~reading, writing, or mathematics for any graduate who requires~~
 3809 ~~remediation at a postsecondary educational institution.~~

3810 ~~6. Beginning in the 1999-2000 school year, dropout~~
 3811 ~~prevention programs as defined in ss. 1003.52, 1003.53(1)(a),~~
 3812 ~~(b), and (c), and 1003.54 shall be included in group 1 programs~~
 3813 ~~under subparagraph (d)3.~~

3814 (o) Calculation of additional full-time equivalent
 3815 membership based on successful completion of a career-themed
 3816 course pursuant to ss. 1003.491, 1003.492, and 1003.493, or
 3817 courses with embedded CAPE industry certifications or CAPE
 3818 Digital Tool certificates, and issuance of industry
 3819 certification identified on the CAPE Industry Certification
 3820 Funding List pursuant to rules adopted by the State Board of
 3821 Education or CAPE Digital Tool certificates pursuant to s.
 3822 1003.4203.-

3823 1.a. A value of 0.025 full-time equivalent student
 3824 membership shall be calculated for CAPE Digital Tool
 3825 certificates earned by students in elementary and middle school

Page 153 of 198

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hb7055-01-c1

CS/HB 7055

2018

3826 grades.

3827 b. A value of 0.1 or 0.2 full-time equivalent student
 3828 membership shall be calculated for each student who completes a
 3829 course as defined in s. 1003.493(1)(b) or courses with embedded
 3830 CAPE industry certifications and who is issued an industry
 3831 certification identified annually on the CAPE Industry
 3832 Certification Funding List approved under rules adopted by the
 3833 State Board of Education. A value of 0.2 full-time equivalent
 3834 membership shall be calculated for each student who is issued a
 3835 CAPE industry certification that has a statewide articulation
 3836 agreement for college credit approved by the State Board of
 3837 Education. For CAPE industry certifications that do not
 3838 articulate for college credit, the Department of Education shall
 3839 assign a full-time equivalent value of 0.1 for each
 3840 certification. Middle grades students who earn additional FTE
 3841 membership for a CAPE Digital Tool certificate pursuant to sub-
 3842 subparagraph a. may not use the previously funded examination to
 3843 satisfy the requirements for earning an industry certification
 3844 under this sub-subparagraph. Additional FTE membership for an
 3845 elementary or middle grades student may not exceed 0.1 for
 3846 certificates or certifications earned within the same fiscal
 3847 year. The State Board of Education shall include the assigned
 3848 values on the CAPE Industry Certification Funding List under
 3849 rules adopted by the state board. Such value shall be added to
 3850 the total full-time equivalent student membership for grades 6

Page 154 of 198

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hb7055-01-c1

CS/HB 7055

2018

3851 through 12 in the subsequent year. CAPE industry certifications
 3852 earned through dual enrollment must be reported and funded
 3853 pursuant to s. 1011.80. However, if a student earns a
 3854 certification through a dual enrollment course and the
 3855 certification is not a fundable certification on the
 3856 postsecondary certification funding list, or the dual enrollment
 3857 certification is earned as a result of an agreement between a
 3858 school district and a nonpublic postsecondary institution, the
 3859 bonus value shall be funded in the same manner as other nondual
 3860 enrollment course industry certifications. In such cases, the
 3861 school district may provide for an agreement between the high
 3862 school and the technical center, or the school district and the
 3863 postsecondary institution may enter into an agreement for
 3864 equitable distribution of the bonus funds.

3865 c. A value of 0.3 full-time equivalent student membership
 3866 shall be calculated for student completion of the courses and
 3867 the embedded certifications identified on the CAPE Industry
 3868 Certification Funding List and approved by the commissioner
 3869 pursuant to ss. 1003.4203(5)(a) and 1008.44.

3870 d. A value of 0.5 full-time equivalent student membership
 3871 shall be calculated for CAPE Acceleration Industry
 3872 Certifications that articulate for 15 to 29 college credit
 3873 hours, and 1.0 full-time equivalent student membership shall be
 3874 calculated for CAPE Acceleration Industry Certifications that
 3875 articulate for 30 or more college credit hours pursuant to CAPE

Page 155 of 198

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hb7055-01-c1

CS/HB 7055

2018

3876 Acceleration Industry Certifications approved by the
 3877 commissioner pursuant to ss. 1003.4203(5)(b) and 1008.44.

3878 2. Each district must allocate at least 80 percent of the
 3879 funds provided for CAPE industry certification, in accordance
 3880 with this paragraph, to the program that generated the funds.
 3881 This allocation may not be used to supplant funds provided for
 3882 basic operation of the program.

3883 3. For CAPE industry certifications earned in the 2013-
 3884 2014 school year and in subsequent years, the school district
 3885 shall distribute to each classroom teacher who provided direct
 3886 instruction toward the attainment of a CAPE industry
 3887 certification that qualified for additional full-time equivalent
 3888 membership under subparagraph 1.:

3889 a. A bonus of \$25 for each student taught by a teacher who
 3890 provided instruction in a course that led to the attainment of a
 3891 CAPE industry certification on the CAPE Industry Certification
 3892 Funding List with a weight of 0.1.

3893 b. A bonus of \$50 for each student taught by a teacher who
 3894 provided instruction in a course that led to the attainment of a
 3895 CAPE industry certification on the CAPE Industry Certification
 3896 Funding List with a weight of 0.2.

3897 c. A bonus of \$75 for each student taught by a teacher who
 3898 provided instruction in a course that led to the attainment of a
 3899 CAPE industry certification on the CAPE Industry Certification
 3900 Funding List with a weight of 0.3.

Page 156 of 198

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hb7055-01-c1

CS/HB 7055

2018

3901 d. A bonus of \$100 for each student taught by a teacher
 3902 who provided instruction in a course that led to the attainment
 3903 of a CAPE industry certification on the CAPE Industry
 3904 Certification Funding List with a weight of 0.5 or 1.0.
 3905
 3906 Bonuses awarded pursuant to this paragraph shall be provided to
 3907 teachers who are employed by the district in the year in which
 3908 the additional FTE membership calculation is included in the
 3909 calculation. Bonuses shall be calculated based upon the
 3910 associated weight of a CAPE industry certification on the CAPE
 3911 Industry Certification Funding List for the year in which the
 3912 certification is earned by the student. Any bonus awarded to a
 3913 teacher pursuant to under this paragraph is in addition to any
 3914 regular wage or other bonus the teacher received or is scheduled
 3915 to receive. A bonus may not be awarded to a teacher who fails to
 3916 maintain the security of any CAPE industry certification
 3917 examination or who otherwise violates the security or
 3918 administration protocol of any assessment instrument that may
 3919 result in a bonus being awarded to the teacher under this
 3920 paragraph.
 3921 (t) Computation for funding through the Florida Education
 3922 Finance Program.—The State Board of Education may adopt rules
 3923 establishing programs, industry certifications, and courses for
 3924 which the student may earn credit toward high school graduation
 3925 and the criteria under which a student's industry certification

Page 157 of 198

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hb7055-01-c1

CS/HB 7055

2018

3926 or grade may be rescinded.
 3927 (6) CATEGORICAL FUNDS.—
 3928 (b) If a district school board finds and declares in a
 3929 resolution adopted at a regular meeting of the school board that
 3930 the funds received for any of the following categorical
 3931 appropriations are urgently needed to maintain school board
 3932 specified academic classroom instruction, the school board may
 3933 consider and approve an amendment to the school district
 3934 operating budget transferring the identified amount of the
 3935 categorical funds to the appropriate account for expenditure:
 3936 1. Funds for student transportation.
 3937 2. Funds for safe schools.
 3938 ~~3. Funds for supplemental academic instruction if the~~
 3939 ~~required additional hour of instruction beyond the normal school~~
 3940 ~~day for each day of the entire school year has been provided for~~
 3941 ~~the students in each low performing elementary school in the~~
 3942 ~~district pursuant to paragraph (1) (f).~~
 3943 3.4. Funds for research-based reading instruction if the
 3944 required additional hour of instruction beyond the normal school
 3945 day for each day of the entire school year has been provided for
 3946 the students in each low-performing elementary school in the
 3947 district pursuant to paragraph (9) (a).
 3948 ~~4.5.~~ Funds for instructional materials if all
 3949 instructional material purchases necessary to provide updated
 3950 materials that are aligned with applicable state standards and

Page 158 of 198

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hb7055-01-c1

CS/HB 7055

2018

3951 course descriptions and that meet statutory requirements of
 3952 content and learning have been completed for that fiscal year,
 3953 but no sooner than March 1. Funds available after March 1 may be
 3954 used to purchase hardware for student instruction.

3955 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

3956 (a) The research-based reading instruction allocation is
 3957 created to provide comprehensive reading instruction to students
 3958 in kindergarten through grade 12. Each school district that has
 3959 one or more of the 300 lowest-performing elementary schools
 3960 based on a 3-year average of the state reading assessment data
 3961 shall give priority to using that school's portion of the
 3962 allocation to provide ~~providing~~ an additional hour per day of
 3963 intensive reading instruction ~~beyond the normal school day for~~
 3964 ~~each day of the entire school year~~ for the students in each
 3965 school. ~~The designation of the 300 lowest-performing elementary~~
 3966 ~~schools must be based on the state reading assessment for the~~
 3967 ~~prior year.~~ Students enrolled in these schools who earned a ~~have~~
 3968 level 4 or level 5 score on the statewide, standardized English
 3969 Language Arts assessment for the previous school year ~~scores~~ may
 3970 participate in the additional hour of instruction ~~on an optional~~
 3971 ~~basis~~. Exceptional student education centers may not be included
 3972 in the 300 schools. The intensive reading instruction delivered
 3973 in this additional hour ~~and for other students~~ shall include:
 3974 research-based reading instruction that has been proven to
 3975 accelerate progress of students exhibiting a reading deficiency;

Page 159 of 198

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hb7055-01-c1

CS/HB 7055

2018

3976 differentiated instruction based on screening, diagnostic,
 3977 progress monitoring, or student assessment data to meet
 3978 students' specific reading needs; explicit and systematic
 3979 reading strategies to develop phonemic awareness, phonics,
 3980 fluency, vocabulary, and comprehension, with more extensive
 3981 opportunities for guided practice, error correction, and
 3982 feedback; and the integration of social studies, science, and
 3983 mathematics-text reading, text discussion, and writing in
 3984 response to reading.

3985 (c) Funds allocated under this subsection must be used to
 3986 provide a system of comprehensive reading instruction to
 3987 students enrolled in the K-12 programs, which may include the
 3988 following:

- 3989 1. ~~The provision of~~ An additional hour per day of
 3990 intensive reading instruction to students in the 300 lowest-
 3991 performing elementary schools by teachers and reading
 3992 specialists who have demonstrated effectiveness in teaching
 3993 reading as required in paragraph (a).
- 3994 2. Kindergarten through grade 5 reading intervention
 3995 teachers to provide intensive intervention during the school day
 3996 and in the required extra hour for students identified as having
 3997 a reading deficiency.
- 3998 3. ~~The provision of~~ Highly qualified reading coaches to
 3999 specifically support teachers in making instructional decisions
 4000 based on student data, and improve teacher delivery of effective

Page 160 of 198

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hb7055-01-c1

CS/HB 7055

2018

4001 reading instruction, intervention, and reading in the content
4002 areas based on student need.

4003 4. Professional development for school district teachers
4004 in scientifically based reading instruction, including
4005 strategies to teach reading in content areas and with an
4006 emphasis on technical and informational text, to help school
4007 district teachers earn a certification or an endorsement in
4008 reading.

4009 5. ~~The provision of~~ Summer reading camps, using only
4010 teachers or other district personnel who are certified or
4011 endorsed in reading consistent with s. 1008.25(7)(b)3., for all
4012 students in kindergarten through grade 2 who demonstrate a
4013 reading deficiency as determined by district and state
4014 assessments, and students in grades 3 through 5 who score at
4015 Level 1 on the statewide, standardized ~~reading assessment or,~~
4016 ~~upon implementation, the~~ English Language Arts assessment.

4017 6. ~~The provision of~~ Supplemental instructional materials
4018 that are grounded in scientifically based reading research as
4019 identified by the Just Read, Florida! Office pursuant to s.
4020 1001.215(8).

4021 7. ~~The provision of~~ Intensive interventions for students
4022 in kindergarten through grade 12 who have been identified as
4023 having a reading deficiency or who are reading below grade level
4024 as determined by the statewide, standardized English Language
4025 Arts assessment.

Page 161 of 198

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hb7055-01-c1

CS/HB 7055

2018

4026 (d)1. Each school district that has a school that earns a
4027 grade below a "B" pursuant to s. 1008.34 shall annually, by a
4028 ~~date determined by the Department of Education but before May 1,~~
4029 ~~school districts shall~~ submit a K-12 comprehensive reading plan
4030 for the specific use of the research-based reading instruction
4031 allocation in the format prescribed by the department for review
4032 and approval by the department as part of the monitoring,
4033 intervention, and support strategies required under s. 1008.33
4034 Just Read, Florida! Office created pursuant to s. 1001.215. The
4035 plan annually submitted by school districts shall be deemed
4036 approved unless the department rejects the plan on or before
4037 June 1. If a school district and the Just Read, Florida! Office
4038 cannot reach agreement on the contents of the plan, the school
4039 district may appeal to the State Board of Education for
4040 resolution. School districts shall be allowed reasonable
4041 flexibility in designing their plans and shall be encouraged to
4042 offer reading intervention through innovative methods, including
4043 career academies. The plan format shall be developed with input
4044 from school district personnel, including teachers and
4045 principals, and shall provide for ~~allow courses in core, career,~~
4046 ~~and alternative programs that deliver~~ intensive reading
4047 intervention remediation through integrated curricula, provided
4048 that the interventions are delivered by a teacher who is
4049 certified or endorsed in ~~deemed highly qualified to teach~~
4050 reading or working toward that status. ~~No later than July 1~~

Page 162 of 198

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb7055-01-c1

CS/HB 7055

2018

4051 ~~annually, the department shall release the school district's~~
 4052 ~~allocation of appropriated funds to those districts having~~
 4053 ~~approved plans. A school district that spends 100 percent of~~
 4054 ~~this allocation on its approved plan shall be deemed to have~~
 4055 ~~been in compliance with the plan. The department may withhold~~
 4056 ~~funds upon a determination that reading instruction allocation~~
 4057 ~~funds are not being used to implement the approved plan. The~~
 4058 ~~department shall monitor and track the implementation of each~~
 4059 ~~district plan, including conducting site visits and collecting~~
 4060 ~~specific data on expenditures and reading improvement results.~~
 4061 ~~By February 1 of each year, the department shall report its~~
 4062 ~~findings to the Legislature.~~

4063 2. Each school district that has a school designated as
 4064 one of the 300 lowest-performing elementary schools as specified
 4065 in paragraph (a) shall specifically delineate in the
 4066 comprehensive reading plan, or in an addendum to the
 4067 comprehensive reading plan, the implementation design and
 4068 reading intervention strategies that will be used for the
 4069 required additional hour of reading instruction.

4070
 4071 The term "reading intervention" may include strategies
 4072 identified by the Just Read, Florida! Office pursuant to s.
 4073 1001.215(8), includes evidence-based strategies frequently used
 4074 to remediate reading deficiencies and also includes individual
 4075 instruction, tutoring, mentoring, or the use of technology that

Page 163 of 198

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hb7055-01-c1

CS/HB 7055

2018

4076 targets specific reading skills and abilities.

4077 Section 42. Section 1011.6202, Florida Statutes, is
 4078 amended to read:

4079 1011.6202 Principal Autonomy ~~Pilot~~ Program Initiative.—The
 4080 Principal Autonomy ~~Pilot~~ Program Initiative is created within
 4081 the Department of Education. The purpose of the ~~pilot~~ program is
 4082 to provide a the highly effective principal of a participating
 4083 school with increased autonomy and authority to operate his or
 4084 her school, as well as other schools, in a way that produces
 4085 significant improvements in student achievement and school
 4086 management while complying with constitutional requirements. The
 4087 State Board of Education may, upon approval of a principal
 4088 autonomy proposal, enter into a performance contract with the up
 4089 to seven district school board boards for participation in the
 4090 ~~pilot~~ program.

4091 (1) PARTICIPATING SCHOOL DISTRICTS.—Beginning with the
 4092 2018-2019 school year, contingent upon available funds, and on a
 4093 first-come, first-served basis, a The district school board
 4094 boards in Broward, Duval, Jefferson, Madison, Palm Beach,
 4095 Pinellas, and Seminole Counties may submit, no later than
 4096 December 1, to the state board for approval a principal autonomy
 4097 proposal that exchanges statutory and rule exemptions for an
 4098 agreement to meet performance goals established in the proposal.
 4099 If approved by the state board, the each of these school
 4100 district is districts shall be eligible to participate in the

Page 164 of 198

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hb7055-01-c1

CS/HB 7055

2018

4101 ~~pilot program for 3 years. At the end of the 3 years, the~~
 4102 ~~performance of all participating schools in the school district~~
 4103 ~~shall be evaluated.~~

4104 (2) PRINCIPAL AUTONOMY PROPOSAL.—

4105 (a) To participate in the ~~pilot~~ program, a school district
 4106 must:

4107 1. Identify three schools that received at least two
 4108 school grades of "D" or "F" pursuant to s. 1008.34 during the
 4109 previous 3 school years.

4110 2. Identify three principals who have earned a highly
 4111 effective rating on the prior year's performance evaluation
 4112 pursuant to s. 1012.34, one of whom shall be assigned to each of
 4113 the participating schools.

4114 3. Describe the current financial and administrative
 4115 management of each participating school; identify the areas in
 4116 which each school principal will have increased fiscal and
 4117 administrative autonomy, including the authority and
 4118 responsibilities provided in s. 1012.28(8); and identify the
 4119 areas in which each participating school will continue to follow
 4120 district school board fiscal and administrative policies.

4121 4. Explain the methods used to identify the educational
 4122 strengths and needs of the participating school's students and
 4123 identify how student achievement can be improved.

4124 5. Establish performance goals for student achievement, as
 4125 defined in s. 1008.34(1), and explain how the increased autonomy

Page 165 of 198

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb7055-01-c1

CS/HB 7055

2018

4126 of principals will help participating schools improve student
 4127 achievement and school management.

4128 6. Provide each participating school's mission and a
 4129 description of its student population.

4130 (b) The state board shall establish criteria, which must
 4131 include the criteria listed in paragraph (a), for the approval
 4132 of a principal autonomy proposal.

4133 (c) A district school board must submit its principal
 4134 autonomy proposal to the state board for approval by December 1
 4135 in order to begin participation in the subsequent school year.
 4136 By February 28 of the school year in which the proposal is
 4137 submitted, the state board shall notify the district school
 4138 board in writing whether the proposal is approved.

4139 (3) EXEMPTION FROM LAWS.—

4140 (a) With the exception of those laws listed in paragraph
 4141 (b), a participating school or a school operated by an
 4142 independent governing board pursuant to subsection (5) is exempt
 4143 from the provisions of chapters 1000-1013 and rules of the state
 4144 board that implement those exempt provisions.

4145 (b) A participating school or a school operated by an
 4146 independent governing board pursuant to subsection (5) shall
 4147 comply with the provisions of chapters 1000-1013, and rules of
 4148 the state board that implement those provisions, pertaining to
 4149 the following:

4150 1. Those laws relating to the election and compensation of

Page 166 of 198

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hb7055-01-c1

CS/HB 7055

2018

4151 district school board members, the election or appointment and
 4152 compensation of district school superintendents, public meetings
 4153 and public records requirements, financial disclosure, and
 4154 conflicts of interest.

4155 2. Those laws relating to the student assessment program
 4156 and school grading system, including chapter 1008.

4157 3. Those laws relating to the provision of services to
 4158 students with disabilities.

4159 4. Those laws relating to civil rights, including s.
 4160 1000.05, relating to discrimination.

4161 5. Those laws relating to student health, safety, and
 4162 welfare.

4163 6. Section 1001.42(4)(f), relating to the uniform opening
 4164 date for public schools.

4165 7. Section 1003.03, governing maximum class size, except
 4166 that the calculation for compliance pursuant to s. 1003.03 is
 4167 the average at the school level for a participating school.

4168 8. Sections 1012.22(1)(c) and 1012.27(2), relating to
 4169 compensation and salary schedules.

4170 9. Section 1012.33(5), relating to workforce reductions
 4171 for annual contracts for instructional personnel. This
 4172 subparagraph does not apply to at-will employees.

4173 10. Section 1012.335, relating to annual contracts for
 4174 instructional personnel hired on or after July 1, 2011. This
 4175 subparagraph does not apply to at-will employees.

Page 167 of 198

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hb7055-01-c1

CS/HB 7055

2018

4176 11. Section 1012.34, relating to personnel evaluation
 4177 procedures and criteria.

4178 12. Those laws pertaining to educational facilities,
 4179 including chapter 1013, except that s. 1013.20, relating to
 4180 covered walkways for relocatables, and s. 1013.21, relating to
 4181 the use of relocatable facilities exceeding 20 years of age, are
 4182 eligible for exemption.

4183 13. Those laws pertaining to participating school
 4184 districts, including this section and ss. 1011.69(2) and
 4185 1012.28(8).

4186 (c) A school shall remain exempt, as provided in this
 4187 subsection, beyond the term of the program so long as the school
 4188 receives no grade lower than a "B."

4189 (4) PROFESSIONAL DEVELOPMENT.—Each participating school
 4190 district shall require that the principal of each participating
 4191 school and a designated leadership team selected by the
 4192 principal of the participating school, a three-member leadership
 4193 team from each participating school, and district personnel
 4194 working with each participating school complete a nationally
 4195 recognized school turnaround program which focuses on improving
 4196 leadership, instructional infrastructure, talent management, and
 4197 differentiated support and accountability. The required
 4198 personnel must enroll in the nationally recognized school
 4199 turnaround program upon acceptance into the ~~pilot~~ program. ~~Each~~
 4200 ~~participating school district shall receive \$100,000 from the~~

Page 168 of 198

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hb7055-01-c1

CS/HB 7055

2018

4201 ~~department for participation in the nationally recognized school~~
 4202 ~~turnaround program.~~

4203 (5) DISTRICT-INDEPENDENT AUTONOMOUS SCHOOLS.—To foster the
 4204 development of principal autonomy and autonomous schools,
 4205 participating school districts may expand the impact of
 4206 participating principals by allowing participating principals to
 4207 manage multiple schools under an independent governing board.

4208 (a) A participating principal who successfully completes
 4209 the training required by subsection (4) may manage one or more
 4210 schools that are operated by an independent governing board
 4211 through a contract with the school board. To avoid any conflict
 4212 of interest regarding the review, approval, and oversight of the
 4213 school, members of the governing board may not be employees of
 4214 the school district or any school operated by the governing
 4215 board.

4216 (b) For the purposes of tort liability, the independent
 4217 governing board, autonomous school, and its employees or agents
 4218 shall be governed by s. 768.28. The school board shall not be
 4219 liable for civil damages under state law for the employment
 4220 actions or personal injury, property damage, or death resulting
 4221 from an act or omission of an independent governing board,
 4222 autonomous school, and its employees or agents.

4223 (c) An autonomous school may be a private or a public
 4224 employer. As a public employer, the autonomous school may
 4225 participate in the Florida Retirement System upon application

Page 169 of 198

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hb7055-01-c1

CS/HB 7055

2018

4226 and approval as a covered group under s. 121.021(34). If an
 4227 autonomous school participates in the Florida Retirement System,
 4228 the school's employees shall be compulsory members of the
 4229 Florida Retirement System.

4230 (6)(5) TERM OF PARTICIPATION.—The state board shall
 4231 authorize a school district to participate in the pilot program
 4232 for a period of 3 years commencing with approval of the
 4233 principal autonomy proposal. Authorization to participate in the
 4234 pilot program may be renewed upon action of the state board. The
 4235 state board may revoke authorization to participate in the pilot
 4236 program if the school district fails to meet the requirements of
 4237 this section during the 3-year period.

4238 ~~(6) REPORTING.—Each participating school district shall~~
 4239 ~~submit an annual report to the state board. The state board~~
 4240 ~~shall annually report on the implementation of the Principal~~
 4241 ~~Autonomy Pilot Program Initiative. Upon completion of the pilot~~
 4242 ~~program's first 3-year term, the Commissioner of Education shall~~
 4243 ~~submit to the President of the Senate and the Speaker of the~~
 4244 ~~House of Representatives by December 1 a full evaluation of the~~
 4245 ~~effectiveness of the pilot program.~~

4246 (7) FUNDING.—Subject to an annual appropriation, The
 4247 Legislature shall provide an appropriation to the department
 4248 shall fund for the costs of the pilot program to include the,
 4249 including administrative costs and enrollment costs for the
 4250 nationally recognized school turnaround program required in

Page 170 of 198

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hb7055-01-c1

CS/HB 7055

2018

4251 ~~subsection (4), and an additional amount not to exceed of~~
 4252 \$10,000 for each participating principal in each participating
 4253 district as an annual salary supplement for 3 years, a fund for
 4254 ~~the principal's school to be used at the principal's discretion,~~
 4255 ~~or both, as determined by the district.~~ To be eligible for a
 4256 salary supplement under this subsection, a participating
 4257 principal must:

4258 (a) Be rated "highly effective" as determined by the
 4259 principal's performance evaluation under s. 1012.34;

4260 (b) Be transferred to, or manage pursuant to subsection
 4261 (5), a school that earned a grade of "F" or two three
 4262 consecutive grades of "D" pursuant to s. 1008.34 and provided
 4263 additional authority and responsibilities pursuant to s.
 4264 1012.28(8); and

4265 (c) Have implemented a turnaround option under s. 1008.33
 4266 ~~s. 1008.33(4)~~ at a school as the school's principal or manager.
 4267 The turnaround option must have resulted in the school improving
 4268 by at least one letter grade while he or she was serving as the
 4269 school's principal or manager.

4270 (8) RULEMAKING.—The State Board of Education shall adopt
 4271 rules to administer this section.

4272 Section 43. Section 1011.64, Florida Statutes, is
 4273 repealed.

4274 Section 44. Subsection (5) of section 1011.69, Florida
 4275 Statutes, is amended to read:

Page 171 of 198

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hb7055-01-c1

CS/HB 7055

2018

4276 1011.69 Equity in School-Level Funding Act.—

4277 (5) After providing Title I, Part A, Basic funds to
 4278 schools above the 75 percent poverty threshold, which may
 4279 include high schools above the 50 percent threshold as permitted
 4280 by federal law, school districts shall provide any remaining
 4281 Title I, Part A, Basic funds directly to all eligible schools as
 4282 provided in this subsection. For purposes of this subsection, an
 4283 eligible school is a school that is eligible to receive Title I
 4284 funds, including a charter school. The threshold for identifying
 4285 eligible schools may not exceed the threshold established by a
 4286 school district for the 2016-2017 school year or the statewide
 4287 percentage of economically disadvantaged students, as determined
 4288 annually.

4289 (a) Prior to the allocation of Title I funds to eligible
 4290 schools, a school district may withhold funds only as follows:

4291 1. One percent for parent involvement, in addition to the
 4292 one percent the district must reserve under federal law for
 4293 allocations to eligible schools for parent involvement;

4294 2. A necessary and reasonable amount for administration,
 4295 which includes the district's indirect cost rate, not to exceed
 4296 a total of 8 percent; ~~and~~

4297 3. A reasonable and necessary amount to provide:

4298 a. Homeless programs;

4299 b. Delinquent and neglected programs;

4300 c. Prekindergarten programs and activities;

Page 172 of 198

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hb7055-01-c1

CS/HB 7055

2018

4301 d. Private school equitable services; and
 4302 e. Transportation for foster care children to their school
 4303 of origin or choice programs; and
 4304 4. A necessary and reasonable amount, not to exceed 1
 4305 percent, for eligible schools to provide:
 4306 a. Extended learning opportunities, such as summer school,
 4307 before-school and after-school programs, and additional class
 4308 periods of instruction during the school day; and
 4309 b. Supplemental academic and enrichment services, as well
 4310 as wrap-around services.
 4311
 4312 Any funds provided by eligible schools pursuant to paragraph (b)
 4313 shall not be included calculation of the 1-percent limitation.
 4314 (b) All remaining Title I funds shall be distributed to
 4315 all eligible schools in accordance with federal law and
 4316 regulation. To maximize the efficient use of resources, school
 4317 districts may allow eligible schools, not including charter
 4318 schools, to ~~An eligible school may~~ use funds under this
 4319 subsection for district-level ~~to participate in discretionary~~
 4320 educational services provided by the school district under
 4321 paragraph (a).
 4322 Section 45. Paragraph (e) of subsection (2) of section
 4323 1011.71, Florida Statutes, is amended to read:
 4324 1011.71 District school tax.—
 4325 (2) In addition to the maximum millage levy as provided in

Page 173 of 198

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hb7055-01-c1

CS/HB 7055

2018

4326 subsection (1), each school board may levy not more than 1.5
 4327 mills against the taxable value for school purposes for charter
 4328 schools pursuant to s. 1013.62(3) and for district schools to
 4329 fund:
 4330 (e) Payments for educational facilities and sites due
 4331 under a lease-purchase agreement entered into by a district
 4332 school board pursuant to s. 1003.02(1)(f) or s. 1013.15(2), not
 4333 exceeding, in the aggregate, an amount equal to three-fourths of
 4334 the proceeds from the millage levied by a district school board
 4335 pursuant to this subsection. The three-fourths limit is waived
 4336 for lease-purchase agreements entered into before June 30, 2009,
 4337 by a district school board pursuant to this paragraph. If
 4338 payments under lease-purchase agreements in the aggregate,
 4339 including lease-purchase agreements entered into before June 30,
 4340 2009, exceed three-fourths of the proceeds from the millage
 4341 levied pursuant to this subsection, the district school board
 4342 may not withhold the administrative fees authorized by s.
 4343 1002.33(20) from any charter school operating in the school
 4344 district.
 4345 Section 46. Subsection (2) of section 1012.23, Florida
 4346 Statutes, is amended to read:
 4347 1012.23 School district personnel policies.—
 4348 (2) A district school superintendent or a district school
 4349 board member may not appoint or ~~not~~ employ ~~or appoint~~ a
 4350 relative, as defined in s. 112.3135, to work under the direct

Page 174 of 198

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hb7055-01-c1

CS/HB 7055

2018

4351 supervision of that district school board member or district
 4352 school superintendent. This subsection does not apply to
 4353 employees appointed or employed before the election or
 4354 appointment of a school board member or a district school
 4355 superintendent. The Commission on Ethics shall accept and
 4356 investigate any alleged violations of this subsection pursuant
 4357 to the procedures in ss. 112.322-112.3241.

4358 Section 47. Subsection (4) of section 1012.2315, Florida
 4359 Statutes, is amended to read:

4360 1012.2315 Assignment of teachers.—

4361 (4) COLLECTIVE BARGAINING.—

4362 (a) Notwithstanding provisions of chapter 447 relating to
 4363 district school board collective bargaining, collective
 4364 bargaining provisions may not preclude a school district from
 4365 providing incentives to high-quality teachers and assigning such
 4366 teachers to low-performing schools.

4367 (b)1. In addition to the provisions under s. 447.305(2),
 4368 an employee organization that has been certified as the
 4369 bargaining agent for a unit of instructional personnel as
 4370 defined in s. 1012.01(2) must include for each such certified
 4371 bargaining unit the following information in its application for
 4372 renewal of registration:

4373 a. The number of employees in the bargaining unit who are
 4374 eligible for representation by the employee organization.

4375 b. The number of employees who are represented by the

Page 175 of 198

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hb7055-01-c1

CS/HB 7055

2018

4376 employee organization, specifying the number of members who pay
 4377 dues and the number of members who do not pay dues.

4378 2. Notwithstanding the provisions of chapter 447 relating
 4379 to collective bargaining, an employee organization whose dues
 4380 paying membership is less than 50 percent of the employees
 4381 eligible for representation in the unit, as identified in
 4382 subparagraph 1., must petition the Public Employees Relations
 4383 Commission pursuant to s. 447.307(2) and (3) for recertification
 4384 as the exclusive representative of all employees in the unit
 4385 within 1 month after the date on which the organization applies
 4386 for renewal of registration pursuant to s. 447.305(2). The
 4387 certification of an employee organization that does not comply
 4388 with this paragraph is revoked.

4389 Section 48. Subsection (8) of section 1012.28, Florida
 4390 Statutes, is amended to read:

4391 1012.28 Public school personnel; duties of school
 4392 principals.—

4393 (8) The principal of a school participating in the
 4394 Principal Autonomy ~~Pilot~~ Program Initiative under s. 1011.6202
 4395 has the following additional authority and responsibilities:

4396 (a) In addition to the authority provided in subsection
 4397 (6), the authority to select qualified instructional personnel
 4398 for placement or to refuse to accept the placement or transfer
 4399 of instructional personnel by the district school
 4400 superintendent. Placement of instructional personnel at a

Page 176 of 198

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hb7055-01-c1

CS/HB 7055

2018

4401 participating school in a participating school district does not
 4402 affect the employee's status as a school district employee.

4403 (b) The authority to deploy financial resources to school
 4404 programs at the principal's discretion to help improve student
 4405 achievement, as defined in s. 1008.34(1), and meet performance
 4406 goals identified in the principal autonomy proposal submitted
 4407 pursuant to s. 1011.6202.

4408 (c) To annually provide to the district school
 4409 superintendent and the district school board a budget for the
 4410 operation of the participating school that identifies how funds
 4411 provided pursuant to s. 1011.69(2) are allocated. ~~The school~~
 4412 ~~district shall include the budget in the annual report provided~~
 4413 ~~to the State Board of Education pursuant to s. 1011.6202(6).~~

4414 Section 49. Subsection (2) of section 1012.32, Florida
 4415 Statutes, is amended to read:

4416 1012.32 Qualifications of personnel.—

4417 (2) (a) Instructional and noninstructional personnel who
 4418 are hired or contracted to fill positions that require direct
 4419 contact with students in any district school system or
 4420 university lab school must, upon employment or engagement to
 4421 provide services, undergo background screening as required under
 4422 s. 1012.465 or s. 1012.56, whichever is applicable.

4423 (b) Instructional and noninstructional personnel who are
 4424 hired or contracted to fill positions in any charter school and
 4425 members of the governing board of any charter school, in

Page 177 of 198

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hb7055-01-c1

CS/HB 7055

2018

4426 compliance with s. 1002.33(12)(g), must, upon employment,
 4427 engagement of services, or appointment, undergo background
 4428 screening as required under s. 1012.465 or s. 1012.56, whichever
 4429 is applicable, by filing with the district school board for the
 4430 school district in which the charter school is located a
 4431 complete set of fingerprints taken by an authorized law
 4432 enforcement agency or an employee of the school or school
 4433 district who is trained to take fingerprints.

4434 (c) Instructional and noninstructional personnel who are
 4435 hired or contracted to fill positions that require direct
 4436 contact with students in an alternative school that operates
 4437 under contract with a district school system must, upon
 4438 employment or engagement to provide services, undergo background
 4439 screening as required under s. 1012.465 or s. 1012.56, whichever
 4440 is applicable, by filing with the district school board for the
 4441 school district to which the alternative school is under
 4442 contract a complete set of fingerprints taken by an authorized
 4443 law enforcement agency or an employee of the school or school
 4444 district who is trained to take fingerprints.

4445 (d) Student teachers and persons participating in a field
 4446 experience pursuant to s. 1004.04(5) or s. 1004.85 in any
 4447 district school system, lab school, or charter school must, upon
 4448 engagement to provide services, undergo background screening as
 4449 required under s. 1012.56.

4450

Page 178 of 198

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hb7055-01-c1

CS/HB 7055

2018

4451 Fingerprints shall be submitted to the Department of Law
 4452 Enforcement for statewide criminal and juvenile records checks
 4453 and to the Federal Bureau of Investigation for federal criminal
 4454 records checks. A person subject to this subsection who is found
 4455 ineligible for employment under s. 1012.315, or otherwise found
 4456 through background screening to have been convicted of any crime
 4457 involving moral turpitude as defined by rule of the State Board
 4458 of Education, shall not be employed, engaged to provide
 4459 services, or serve in any position that requires direct contact
 4460 with students. Probationary persons subject to this subsection
 4461 terminated because of their criminal record have the right to
 4462 appeal such decisions. The cost of the background screening may
 4463 be borne by the district school board, the charter school, the
 4464 employee, the contractor, or a person subject to this
 4465 subsection. If the district school board does not notify the
 4466 charter school of the eligibility of governing board members and
 4467 instructional and noninstructional personnel within 14 days
 4468 after the submission of the fingerprints, it shall reimburse the
 4469 cost of background screening.

4470 Section 50. Subsection (4) of section 1012.55, Florida
 4471 Statutes, is amended, and paragraph (e) is added to subsection
 4472 (1) of that section, to read:
 4473 1012.55 Positions for which certificates required.—
 4474 (1)
 4475 (e)1. The department shall issue a 3-year temporary

Page 179 of 198

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hb7055-01-c1

CS/HB 7055

2018

4476 certificate in educational leadership under s. 1012.56(7) to an
 4477 individual who:
 4478 a. Earned a passing score on the Florida Educational
 4479 Leadership Examination.
 4480 b. Served as a commissioned or noncommissioned military
 4481 officer in the United States Armed Forces for at least 3 years.
 4482 c. Was honorably discharged or has retired from the United
 4483 States Armed Forces.
 4484 d. Is employed full time in a position for which an
 4485 educator certificate is required in a Florida public school,
 4486 state-supported school, or nonpublic school that has a Level II
 4487 program under s. 1012.562.
 4488 2. A Level II program under s. 1012.562 must accept an
 4489 applicant who holds a temporary certificate under subparagraph
 4490 1. The department shall issue a permanent certification as a
 4491 school principal to an individual who holds a temporary
 4492 certificate under subparagraph 1. and successfully completes the
 4493 Level II program.
 4494 (4) A commissioned or noncommissioned military officer who
 4495 is an instructor of junior reserve officer training shall be
 4496 exempt from requirements for teacher certification, except for
 4497 the background screening pursuant to s. 1012.32, if he or she
 4498 meets the following qualifications:
 4499 (a) Is retired from active military duty, pursuant to
 4500 chapter 102 of Title 10 U.S.C.

Page 180 of 198

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hb7055-01-c1

CS/HB 7055

2018

4501 (b) Satisfies criteria established by the appropriate
 4502 military service for certification by the service as a junior
 4503 reserve officer training instructor.

4504 (c) Has an exemplary military record.

4505

4506 If such instructor is assigned instructional duties other than
 4507 junior reserve officer training, he or she shall hold the
 4508 certificate required by law and rules of the state board for the
 4509 type of service rendered. An instructor of junior reserve
 4510 officer training under this subsection may receive funding
 4511 through the Florida Teachers Classroom Supply Assistance Program
 4512 under s. 1012.71.

4513 Section 51. Subsection (7) of section 1012.56, Florida
 4514 Statutes, is amended to read:

4515 1012.56 Educator certification requirements.—

4516 (7) TYPES AND TERMS OF CERTIFICATION.—

4517 (a) The Department of Education shall issue a professional
 4518 certificate for a period not to exceed 5 years to any applicant
 4519 who fulfills one of the following:

4520 1. Meets all the requirements outlined in subsection (2).

4521 2. For a professional certificate covering grades 6
 4522 through 12:

4523 a. Meets the requirements of paragraphs (2)(a)–(h).

4524 b. Holds a master's or higher degree in the area of
 4525 science, technology, engineering, or mathematics.

Page 181 of 198

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hb7055-01-c1

CS/HB 7055

2018

4526 c. Teaches a high school course in the subject of the
 4527 advanced degree.

4528 d. Is rated highly effective as determined by the
 4529 teacher's performance evaluation under s. 1012.34, based in part
 4530 on student performance as measured by a statewide, standardized
 4531 assessment or an Advanced Placement, Advanced International
 4532 Certificate of Education, or International Baccalaureate
 4533 examination.

4534 e. Achieves a passing score on the Florida professional
 4535 education competency examination required by state board rule.

4536 3. Meets the requirements of paragraphs (2)(a)–(h) and
 4537 completes a professional preparation and education competence
 4538 program approved by the department pursuant to paragraph (8)(c).
 4539 An applicant who completes the program and is rated highly
 4540 effective as determined by his or her performance evaluation
 4541 under s. 1012.34 is not required to take or achieve a passing
 4542 score on the professional education competency examination in
 4543 order to be awarded a professional certificate.

4544 (b) The department shall issue a temporary certificate to
 4545 any applicant who completes the requirements outlined in
 4546 paragraphs (2)(a)–(f) and completes the subject area content
 4547 requirements specified in state board rule or demonstrates
 4548 mastery of subject area knowledge pursuant to subsection (5) and
 4549 holds an accredited degree or a degree approved by the
 4550 Department of Education at the level required for the subject

Page 182 of 198

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hb7055-01-c1

CS/HB 7055

2018

4551 area specialization in state board rule.

4552 (c) The department shall issue one nonrenewable 2-year
4553 temporary certificate and one nonrenewable 5-year professional
4554 certificate to a qualified applicant who holds a bachelor's
4555 degree in the area of speech-language impairment to allow for
4556 completion of a master's degree program in speech-language
4557 impairment.

4558
4559 Each temporary certificate is valid for 3 school fiscal years
4560 and is nonrenewable. However, the requirement in paragraph
4561 (2) (g) must be met within 1 calendar year of the date of
4562 employment under the temporary certificate. Individuals who are
4563 employed under contract at the end of the 1 calendar year time
4564 period may continue to be employed through the end of the school
4565 year in which they have been contracted. A school district shall
4566 not employ, or continue the employment of, an individual in a
4567 position for which a temporary certificate is required beyond
4568 this time period if the individual has not met the requirement
4569 of paragraph (2) (g). At least 1 year before an individual's
4570 temporary certificate is set to expire, the department shall
4571 electronically notify the individual of the date on which his or
4572 her certificate will expire and provide a list of each method by
4573 which the qualifications for a professional certificate can be
4574 completed. The State Board of Education shall adopt rules to
4575 allow the department to extend the validity period of a

Page 183 of 198

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hb7055-01-c1

CS/HB 7055

2018

4576 temporary certificate for 2 years when the requirements for the
4577 professional certificate, not including the requirement in
4578 paragraph (2) (g), were not completed due to the serious illness
4579 or injury of the applicant, the military service of an
4580 applicant's spouse, or other extraordinary extenuating
4581 circumstances. The rules must authorize the department to extend
4582 the validity period of a temporary certificate ~~or~~ for 1 year if
4583 the ~~temporary~~ certificateholder is rated effective or highly
4584 effective based solely on a student learning growth formula
4585 approved by the Commissioner of Education pursuant to s.
4586 1012.34(8). The department shall reissue the temporary
4587 certificate for 2 additional years upon approval by the
4588 Commissioner of Education. A written request for reissuance of
4589 the certificate shall be submitted by the district school
4590 superintendent, the governing authority of a university lab
4591 school, the governing authority of a state-supported school, or
4592 the governing authority of a private school.

4593 Section 52. Section 1012.562, Florida Statutes, is amended
4594 to read:

4595 1012.562 Public accountability and state approval of
4596 school leader preparation programs.—The Department of Education
4597 shall establish a process for the approval of Level I and Level
4598 II school leader preparation programs that will enable aspiring
4599 school leaders to obtain their certificate in educational
4600 leadership under s. 1012.56. School leader preparation programs

Page 184 of 198

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hb7055-01-c1

CS/HB 7055

2018

4601 must be competency-based, aligned to the principal leadership
 4602 standards adopted by the state board, and open to individuals
 4603 employed by public schools, including charter schools and
 4604 virtual schools. Level I programs ~~may be offered by school~~
 4605 ~~districts or postsecondary institutions and~~ lead to initial
 4606 certification in educational leadership for the purpose of
 4607 preparing individuals to serve as school administrators. Level
 4608 II programs ~~may be offered by school districts,~~ build upon Level
 4609 I training, and lead to renewal certification as a school
 4610 principal.

4611 (1) PURPOSE.—The purpose of school leader preparation
 4612 programs are to:

4613 (a) Increase the supply of effective school leaders in the
 4614 public schools of this state.

4615 (b) Produce school leaders who are prepared to lead the
 4616 state's diverse student population in meeting high standards for
 4617 academic achievement.

4618 (c) Enable school leaders to facilitate the development
 4619 and retention of effective and highly effective classroom
 4620 teachers.

4621 (d) Produce leaders with the competencies and skills
 4622 necessary to achieve the state's education goals.

4623 (e) Sustain the state system of school improvement and
 4624 education accountability.

4625 (2) LEVEL I PROGRAMS.—

Page 185 of 198

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hb7055-01-c1

CS/HB 7055

2018

4626 (a) Initial approval of a Level I program shall be for a
 4627 period of 5 years. A postsecondary institution, ~~or~~ school
 4628 district, charter school, or charter management organization may
 4629 submit to the department in a format prescribed by the
 4630 department an application to establish a Level I school leader
 4631 preparation program. To be approved, a Level I program must:

4632 1. Provide competency-based training aligned to the
 4633 principal leadership standards adopted by the State Board of
 4634 Education.

4635 2. If the program is provided by a postsecondary
 4636 institution, partner with at least one school district.

4637 3. Describe the qualifications that will be used to
 4638 determine program admission standards, including a candidate's
 4639 instructional expertise and leadership potential.

4640 4. Describe how the training provided through the program
 4641 will be aligned to the personnel evaluation criteria under s.
 4642 1012.34.

4643 (b) Renewal of a Level I program's approval shall be for a
 4644 period of 5 years and shall be based upon evidence of the
 4645 program's continued ability to meet the requirements of
 4646 paragraph (a). A postsecondary institution or school district
 4647 must submit an institutional program evaluation plan in a format
 4648 prescribed by the department for a Level I program to be
 4649 considered for renewal. The plan must include:

4650 1. The percentage of personnel who complete the program

Page 186 of 198

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hb7055-01-c1

CS/HB 7055

2018

4651 and are placed in school leadership positions in public schools
4652 within the state.

4653 2. Results from the personnel evaluations required under
4654 s. 1012.34 for personnel who complete the program.

4655 3. The passage rate of personnel who complete the program
4656 on the Florida Education Leadership Examination.

4657 4. The impact personnel who complete the program have on
4658 student learning as measured by the formulas developed by the
4659 commissioner pursuant to s. 1012.34(7).

4660 5. Strategies for continuous improvement of the program.

4661 6. Strategies for involving personnel who complete the
4662 program, other school personnel, community agencies, business
4663 representatives, and other stakeholders in the program
4664 evaluation process.

4665 7. Additional data included at the discretion of the
4666 postsecondary institution or school district.

4667 (c) A Level I program must guarantee the high quality of
4668 personnel who complete the program for the first 2 years after
4669 program completion or the person's initial certification as a
4670 school leader, whichever occurs first. If a person who completed
4671 the program is evaluated at less than highly effective or
4672 effective under s. 1012.34 and the person's employer requests
4673 additional training, the Level I program must provide additional
4674 training at no cost to the person or his or her employer. The
4675 training must include the creation of an individualized plan

Page 187 of 198

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hb7055-01-c1

CS/HB 7055

2018

4676 agreed to by the employer that includes specific learning
4677 outcomes. The Level I program is not responsible for the
4678 person's employment contract with his or her employer.

4679 (3) LEVEL II PROGRAMS.—Initial approval and subsequent
4680 renewal of a Level II program shall be for a period of 5 years.
4681 A school district, charter school, or charter management
4682 organization may submit to the department in a format prescribed
4683 by the department an application to establish a Level II school
4684 leader preparation program or for program renewal. To be
4685 approved or renewed, a Level II program must:

4686 (a) Demonstrate that personnel accepted into the Level II
4687 program have:

4688 1. Obtained their certificate in educational leadership
4689 under s. 1012.56.

4690 2. Earned a highly effective or effective designation
4691 under s. 1012.34.

4692 3. Satisfactorily performed instructional leadership
4693 responsibilities as measured by the evaluation system in s.
4694 1012.34.

4695 (b) Demonstrate that the Level II program:

4696 1. Provides competency-based training aligned to the
4697 principal leadership standards adopted by the State Board of
4698 Education.

4699 2. Provides training aligned to the personnel evaluation
4700 criteria under s. 1012.34 and professional development program

Page 188 of 198

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hb7055-01-c1

CS/HB 7055

2018

4701 in s. 1012.986.

4702 3. Provides individualized instruction using a customized
4703 learning plan for each person enrolled in the program that is
4704 based on data from self-assessment, selection, and appraisal
4705 instruments.

4706 4. Conducts program evaluations and implements program
4707 improvements using input from personnel who completed the
4708 program and employers and data gathered pursuant to paragraph
4709 (2) (b).

4710 (c) Gather and monitor the data specified in paragraph
4711 (2) (b).

4712 (4) RULES.—The State Board of Education shall adopt rules
4713 to administer this section.

4714 Section 53. Subsection (3) is added to section 1012.59,
4715 Florida Statutes, to read:

4716 1012.59 Certification fees.—

4717 (3) The State Board of Education shall waive initial
4718 general knowledge, professional education, and subject area
4719 examination fees and certification fees for:

4720 (a) A member of the United States Armed Forces or a
4721 reserve component thereof who is serving or has served on active
4722 duty and the spouse of such a member.

4723 (b) The surviving spouse of a member of the United States
4724 Armed Forces or a reserve component thereof who was serving on
4725 active duty at the time of death.

Page 189 of 198

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hb7055-01-c1

CS/HB 7055

2018

4726 (c) An honorably discharged veteran of the United States
4727 Armed Forces or a veteran of a reserve component thereof who
4728 served on active duty and the spouse or surviving spouse of such
4729 a veteran.

4730 Section 54. Subsection (11) of section 1012.98, Florida
4731 Statutes, is amended to read:

4732 1012.98 School Community Professional Development Act.—

4733 (11) The department shall disseminate to the school
4734 community proven model professional development programs that
4735 have demonstrated success in increasing rigorous and relevant
4736 content, increasing student achievement and engagement, meeting
4737 identified student needs, and providing effective mentorship
4738 activities to new teachers and training to teacher mentors. The
4739 methods of dissemination must include a web-based statewide
4740 performance-support system including a database of exemplary
4741 professional development activities, a listing of available
4742 professional development resources, training programs, and
4743 available technical assistance. Professional development
4744 resources must include sample course-at-a-glance and unit
4745 overview templates that school districts may use when developing
4746 curriculum. The templates must provide an organized structure
4747 for addressing the Florida Standards, grade-level expectations,
4748 evidence outcomes, and 21st century skills that build to
4749 students' mastery of the standards at each grade level. Each
4750 template must support teaching to greater intellectual depth and

Page 190 of 198

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hb7055-01-c1

CS/HB 7055

2018

4751 emphasize transfer and application of concepts, content, and
 4752 skills. At a minimum, each template must:
 4753 (a) Provide course or year-long sequencing of concept-
 4754 based unit overviews based on the Florida Standards.
 4755 (b) Describe the knowledge and vocabulary necessary for
 4756 comprehension.
 4757 (c) Promote the instructional shifts required within the
 4758 Florida Standards.
 4759 (d) Illustrate the interdependence of grade level
 4760 expectations within and across content areas within a grade.
 4761 Section 55. Paragraph (a) of subsection (2) of section
 4762 1013.28, Florida Statutes, is amended to read:
 4763 1013.28 Disposal of property.—
 4764 (2) TANGIBLE PERSONAL PROPERTY.—
 4765 (a) Tangible personal property that has been properly
 4766 classified as surplus by a district school board or Florida
 4767 College System institution board of trustees shall be disposed
 4768 of in accordance with the procedure established by chapter 274.
 4769 However, the provisions of chapter 274 shall not be applicable
 4770 to a motor vehicle used in driver education to which title is
 4771 obtained for a token amount from an automobile dealer or
 4772 manufacturer. In such cases, the disposal of the vehicle shall
 4773 be as prescribed in the contractual agreement between the
 4774 automotive agency or manufacturer and the board. Tangible
 4775 personal property that has been properly classified as surplus,

Page 191 of 198

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hb7055-01-c1

CS/HB 7055

2018

4776 marked for disposal, or otherwise unused by a district school
 4777 board shall be provided for a charter school's use on the same
 4778 basis as it is made available to other public schools in the
 4779 district. A charter school receiving property from the school
 4780 district may not sell or dispose of such property without the
 4781 written permission of the school district.
 4782 Section 56. Paragraph (e) is added to subsection (2) of
 4783 section 1013.385, Florida Statutes, to read:
 4784 1013.385 School district construction flexibility.—
 4785 (2) A resolution adopted under this section may propose
 4786 implementation of exceptions to requirements of the uniform
 4787 statewide building code for the planning and construction of
 4788 public educational and ancillary plants adopted pursuant to ss.
 4789 553.73 and 1013.37 relating to:
 4790 (e) Any other provisions that limit the ability of a
 4791 school to operate in a facility on the same basis as a charter
 4792 school pursuant to s. 1002.33(18) so long as the regional
 4793 planning council determines that there is sufficient shelter
 4794 capacity within the school district as documented in the
 4795 Statewide Emergency Shelter Plan.
 4796 Section 57. Subsections (1), (3), and (5) of section
 4797 1013.62, Florida Statutes, are amended to read:
 4798 1013.62 Charter schools capital outlay funding.—
 4799 (1) Charter school capital outlay funding shall consist of
 4800 ~~revenue resulting from the discretionary millage authorized in~~

Page 192 of 198

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hb7055-01-c1

CS/HB 7055

2018

4801 ~~s. 1011.71(2)~~ and state funds when such funds are appropriated
 4802 in the General Appropriations Act. However, if the amount of
 4803 state funds appropriated for charter school capital outlay in
 4804 any fiscal year is not equal to or is less than the average
 4805 charter school capital outlay funds per unweighted full-time
 4806 equivalent student for the 2018-2019 fiscal year, multiplied by
 4807 the estimated number of charter school students for the
 4808 applicable fiscal year, and adjusted by changes in the Consumer
 4809 Price Index from the previous fiscal year, charter school
 4810 capital outlay funding shall also consist of revenue resulting
 4811 from the discretionary millage authorized in s. 1011.71(2).

4812 (a) To be eligible to receive capital outlay funds, a
 4813 charter school must:
 4814 1.a. Have been in operation for 2 or more years;
 4815 b. Be governed by a governing board established in the
 4816 state for 2 or more years which operates both charter schools
 4817 and conversion charter schools within the state;
 4818 c. Be an expanded feeder chain of a charter school within
 4819 the same school district that is currently receiving charter
 4820 school capital outlay funds;
 4821 d. Have been accredited by a regional accrediting
 4822 association as defined by State Board of Education rule; or
 4823 e. Serve students in facilities that are provided by a
 4824 business partner for a charter school-in-the-workplace pursuant
 4825 to s. 1002.33(15) (b).

Page 193 of 198

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hb7055-01-c1

CS/HB 7055

2018

4826 2. Have an annual audit that does not reveal any of the
 4827 financial emergency conditions provided in s. 218.503(1) for the
 4828 most recent fiscal year for which such audit results are
 4829 available.

4830 3. Have satisfactory student achievement based on state
 4831 accountability standards applicable to the charter school.

4832 4. Have received final approval from its sponsor pursuant
 4833 to s. 1002.33 for operation during that fiscal year.

4834 5. Serve students in facilities that are not provided by
 4835 the charter school's sponsor.

4836 (b) A charter school is not eligible to receive capital
 4837 outlay funds if it was created by the conversion of a public
 4838 school and operates in facilities provided by the charter
 4839 school's sponsor for a nominal fee, or at no charge, or if it is
 4840 directly or indirectly operated by the school district.

4841 (3) If the school board levies the discretionary millage
 4842 authorized in s. 1011.71(2), and the state funds appropriated
 4843 for charter school capital outlay in any fiscal year are not
 4844 equal to or are less than the average charter school capital
 4845 outlay funds per unweighted full-time equivalent student for the
 4846 2018-2019 fiscal year, multiplied by the estimated number of
 4847 charter school students for the applicable fiscal year, and
 4848 adjusted by changes in the Consumer Price Index from the
 4849 previous fiscal year, the department shall use the following
 4850 calculation methodology to determine the amount of revenue that

Page 194 of 198

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hb7055-01-c1

CS/HB 7055

2018

4851 a school district must distribute to each eligible charter
 4852 school:

4853 (a) Reduce the total discretionary millage revenue by the
 4854 school district's annual debt service obligation incurred as of
 4855 March 1, 2017, which has not been subsequently retired, and any
 4856 amount of participation requirement pursuant to s.
 4857 1013.64(2)(a)8. that is being satisfied by revenues raised by
 4858 the discretionary millage.

4859 (b) Divide the school district's adjusted discretionary
 4860 millage revenue by the district's total capital outlay full-time
 4861 equivalent membership and the total number of unweighted full-
 4862 time equivalent students of each eligible charter school to
 4863 determine a capital outlay allocation per full-time equivalent
 4864 student.

4865 (c) Multiply the capital outlay allocation per full-time
 4866 equivalent student by the total number of full-time equivalent
 4867 students of each eligible charter school to determine the
 4868 capital outlay allocation for each charter school.

4869 (d) If applicable, reduce the capital outlay allocation
 4870 identified in paragraph (c) by the total amount of state funds
 4871 allocated to each eligible charter school in subsection (2) to
 4872 determine the maximum calculated capital outlay allocation.

4873 (e) School districts shall distribute capital outlay funds
 4874 to charter schools no later than February 1 of each year if
 4875 required by this subsection, ~~beginning on February 1, 2018, for~~

Page 195 of 198

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hb7055-01-c1

CS/HB 7055

2018

4876 ~~the 2017-2018 fiscal year.~~

4877

4878 By October 1 of each year, each school district shall certify to
 4879 the department the amount of debt service and participation
 4880 requirement that complies with the requirement of paragraph (a)
 4881 and can be reduced from the total discretionary millage revenue.

4882 The Auditor General shall verify compliance with the
 4883 requirements of paragraph (a) and s. 1011.71(2)(e) during
 4884 scheduled operational audits of school districts.

4885 (5) If a charter school is nonrenewed or terminated, any
 4886 unencumbered funds and all equipment and property purchased with
 4887 district public funds shall revert to the ownership of the
 4888 district school board, as provided for in s. 1002.33(8)(d) and
 4889 ~~(e) s. 1002.33(8)(e) and (f).~~ In the case of a charter lab
 4890 school, any unencumbered funds and all equipment and property
 4891 purchased with university public funds shall revert to the
 4892 ownership of the state university that issued the charter. The
 4893 reversion of such equipment, property, and furnishings shall
 4894 focus on recoverable assets, but not on intangible or
 4895 irrecoverable costs such as rental or leasing fees, normal
 4896 maintenance, and limited renovations. The reversion of all
 4897 property secured with public funds is subject to the complete
 4898 satisfaction of all lawful liens or encumbrances. If there are
 4899 additional local issues such as the shared use of facilities or
 4900 partial ownership of facilities or property, these issues shall

Page 196 of 198

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hb7055-01-c1

CS/HB 7055

2018

4901 be agreed to in the charter contract prior to the expenditure of
4902 funds.

4903 Section 58. For the 2018-2019 fiscal year, the sum of
4904 \$19,350,000 in recurring funds from the General Revenue Fund and
4905 the sum of \$850,000 in nonrecurring funds from the General
4906 Revenue Fund are appropriated to the Department of Education to
4907 implement this act. Of the recurring funds, \$9,700,000 shall be
4908 used to fund reading scholarship accounts pursuant to s.
4909 1002.411, Florida Statutes, \$300,000 shall be provided as an
4910 administrative fee pursuant to s. 1002.411(7)(g), Florida
4911 Statutes, \$2,000,000 shall be used to implement the provisions
4912 of s. 1002.40(8), Florida Statutes, \$5,600,000 shall be used to
4913 implement the provisions of s. 1008.22(3)(d), Florida Statutes,
4914 \$950,000 shall be used to implement the additional oversight
4915 requirements pursuant to s. 1002.421, Florida Statutes, \$250,000
4916 shall be used to issue a competitive grant award pursuant to s.
4917 1002.395(9), Florida Statutes, and \$550,000 shall be used for
4918 instructional materials pursuant to s. 1007.271(13), Florida
4919 Statutes. Of the nonrecurring funds, \$750,000 shall be used to
4920 fund the web-based fiscal transparency tool required pursuant to
4921 s. 1010.20(2)(c), Florida Statutes, and \$100,000 shall be used
4922 to implement the provisions of s. 1011.051(2)(b), Florida
4923 Statutes.

4924 Section 59. The Department of Revenue may, and all
4925 conditions are deemed met to, adopt emergency rules pursuant to

Page 197 of 198

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hb7055-01-c1

CS/HB 7055

2018

4926 ss. 120.536(1) and 120.54, Florida Statutes, to administer this
4927 act.

4928 Section 60. This act shall take effect July 1, 2018.

Page 198 of 198

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hb7055-01-c1



903516

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
02/21/2018	.	
	.	
	.	
	.	

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



903516

organization under s. 1002.40 against any tax imposed by the state and collected from the purchaser by a dealer, designated agent, or private tag agent as a result of the purchase or acquisition of a motor vehicle. For purposes of this subsection, the term "purchase" does not include the lease or rental of a motor vehicle.

(2) A dealer shall take a credit against any tax imposed by the state under this chapter on the purchase of a motor vehicle in an amount equal to the credit granted to the purchaser under subsection (1).

(3) For purposes of the distributions of tax revenue under s. 212.20, the department shall disregard any tax credits allowed under this section to ensure that any reduction in tax revenue received that is attributable to the tax credits results only in a reduction in distributions to the General Revenue Fund. The provisions of s. 1002.40 apply to the credit authorized by this section.

Section 2. Subsection (21) is added to section 213.053, Florida Statutes, to read:

213.053 Confidentiality and information sharing.—

(21) (a) The department may provide to an eligible nonprofit scholarship-funding organization, as defined in s. 1002.40, a dealer's name, address, federal employer identification number, and information related to differences between credits taken by the dealer pursuant to s. 212.1832(2) and amounts remitted to the eligible nonprofit scholarship-funding organization under s. 1002.40(13)(b)3. The eligible nonprofit scholarship-funding organization may use the information for purposes of recovering eligible contributions designated for that organization that



903516

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



903516

1002 with access to electronic verification of information from
the following employment screening tools:

(a) The Professional Practices' Database of Disciplinary
Actions Against Educators; and

(b) The Department of Education's Teacher Certification
Database.

This subsection does not require the department to provide these
staff with unlimited access to the databases. However, the
department shall provide the staff with access to the data
necessary for performing employment history checks of the
instructional personnel and school administrators included in
the databases.

Section 5. Section 1001.4205, Florida Statutes, is amended
to read:

1001.4205 Visitation of schools ~~by an individual school
board or charter school governing board member.~~—An individual
member of a district school board may, on any day and at any
time at his or her pleasure, visit any district school in his or
her school district. An individual member of the State
Legislature may, on any day and at any time at his or her
pleasure, visit any district school, including any charter
school, in his or her legislative district. An individual member
of a charter school governing board member may, on any day and
at any time at his or her pleasure, visit any charter school
governed by the charter school's governing board.

(1) The visiting individual board member must sign in and
sign out at the school's main office and wear his or her board
or State Legislature identification badge, as applicable, at all



903516

times while present on school premises.

(2) The board, the school, or any other person or entity, including, but not limited to, the principal of the school, the school superintendent, or any ~~other~~ board member, may not require the visiting individual ~~board member~~ to provide notice before visiting the school.

(3) The school may offer, but may not require, an escort to accompany ~~the~~ a visiting individual ~~board member~~ during the visit.

(4) A ~~Another~~ board member or a district employee, including, but not limited to, the superintendent, the school principal, or the superintendent's or the principal's ~~his or her~~ designee, may not limit the duration or scope of the visit or direct ~~the~~ a visiting individual ~~board member~~ to leave the premises.

(5) A board, district, or school administrative policy or practice may not prohibit or limit the authority granted to the visiting individual ~~a board member~~ under this section.

Section 6. Section 1002.01, Florida Statutes, is amended to read:

1002.01 Definitions.—

(1) A "home education program" means the sequentially progressive instruction of a student directed by his or her parent in order to satisfy the attendance requirements of ss. 1002.41, 1003.01(13), and 1003.21(1).

(2) A "private school" is a nonpublic school that is registered in accordance with s. 1002.42 and is defined as an individual, association, copartnership, or corporation, or department, division, or section of such organizations, that



903516

designates itself as an educational center that includes kindergarten or a higher grade or as an elementary, secondary, business, technical, or trade school below college level or any organization that provides instructional services that meet the intent of s. 1003.01(13) or that gives preemployment or supplementary training in technology or in fields of trade or industry or that offers academic, literary, or career training below college level, or any combination of the above, including an institution that performs the functions of the above schools through correspondence or extension, except those licensed under the provisions of chapter 1005. A private school may be a parochial, religious, denominational, for-profit, or nonprofit school attended by a student in order to satisfy the attendance requirements of s. 1003.01(13). This definition does not include home education programs conducted in accordance with s. 1002.41.

(3) For purposes of this chapter, a "scholarship program" means any one of the following:

(a) The Opportunity Scholarship Program established pursuant to s. 1002.38.

(b) The Gardiner Scholarship Program established pursuant to s. 1002.385.

(c) The John M. McKay Scholarships for Students with Disabilities Program established pursuant to s. 1002.39.

(d) The Florida Tax Credit Scholarship Program established pursuant to s. 1002.395.

(e) The Hope Scholarship Program established pursuant to s. 1002.40.

Section 7. Paragraph (b) of subsection (2) and subsection (6) of section 1002.20, Florida Statutes, are amended to read:



903516

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(2) ATTENDANCE.—

(b) *Regular school attendance*.—Parents of students who have attained the age of 6 years by February 1 of any school year but who have not attained the age of 16 years must comply with the compulsory school attendance laws. Parents have the option to comply with the school attendance laws by attendance of the student in a public school; a private parochial, religious, or denominational school; a private school; or a home education program; ~~or a private tutoring program~~, in accordance with ~~the provisions of~~ s. 1003.01(13).

(6) EDUCATIONAL CHOICE.—

(a) *Public educational school choices*.—Parents of public school students may seek any public educational school choice options that are applicable and available to students throughout the state. These options may include controlled open enrollment, single-gender programs, lab schools, virtual instruction programs, charter schools, charter technical career centers, magnet schools, alternative schools, special programs, auditory-oral education programs, advanced placement, dual enrollment, International Baccalaureate, International General Certificate of Secondary Education (pre-AICE), CAPE digital tools, CAPE industry certifications, collegiate high school programs, Advanced International Certificate of Education, early



903516

admissions, credit by examination or demonstration of competency, the New World School of the Arts, the Florida School for the Deaf and the Blind, and the Florida Virtual School. These options may also include the public educational choice options of the Opportunity Scholarship Program and the McKay Scholarships for Students with Disabilities Program.

(b) *Private educational choices.*—The parent of a student may choose to enroll the student in a private school, as defined in s. 1002.01(2). Parents of public school students may seek private educational choice options under certain programs.

1. Under the McKay Scholarships for Students with Disabilities Program, the parent of a public school student with a disability may request and receive a McKay Scholarship for the student to attend a private school in accordance with s. 1002.39.

2. Under the Florida Tax Credit Scholarship Program, the parent of a student who qualifies for free or reduced-price school lunch or who is currently placed, or during the previous state fiscal year was placed, in foster care as defined in s. 39.01 may seek a scholarship from an eligible nonprofit scholarship-funding organization in accordance with s. 1002.395.

3. Under the Gardiner Scholarship Program ~~Florida Personal Learning Scholarship Accounts Program~~, the parent of a student with a qualifying disability may apply for a Gardiner Scholarship ~~personal learning scholarship~~ to be used for individual educational needs in accordance with s. 1002.385.

4. Under the Hope Scholarship Program, the parent of a student who was the victim of a substantiated incident of violence or abuse while attending a public school may seek a



903516

scholarship for the student to attend a private school in
accordance with s. 1002.40.

(c) *Home education.*—The parent of a student may choose to
place the student in a home education program, as defined in s.
1002.01(1), in accordance with ~~the provisions of~~ s. 1002.41.

~~(d) *Private tutoring.*—The parent of a student may choose to
place the student in a private tutoring program in accordance
with the provisions of s. 1002.43(1).~~

Section 8. Paragraph (b) of subsection (6) of section
1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(6) APPLICATION PROCESS AND REVIEW.—Charter school
applications are subject to the following requirements:

(b) A sponsor shall receive and review all applications for
a charter school using the evaluation instrument developed by
the Department of Education. A sponsor shall receive and
consider charter school applications received on or before
August 1 of each calendar year for charter schools to be opened
at the beginning of the school district's next school year, or
to be opened at a time agreed to by the applicant and the
sponsor. A sponsor may not refuse to receive a charter school
application submitted before August 1 and may receive an
application submitted later than August 1 if it chooses.

Beginning in 2018 and thereafter, a sponsor shall receive and
consider charter school applications received on or before
February 1 of each calendar year for charter schools to be
opened 18 months later at the beginning of the school district's
school year, or to be opened at a time agreed to by the
applicant and the sponsor. A sponsor may not refuse to receive a



903516

charter school application submitted before February 1 and may receive an application submitted later than February 1 if it chooses. A sponsor may not charge an applicant for a charter any fee for the processing or consideration of an application, and a sponsor may not base its consideration or approval of a final application upon the promise of future payment of any kind. Before approving or denying any application, the sponsor shall allow the applicant, upon receipt of written notification, at least 7 calendar days to make technical or nonsubstantive corrections and clarifications, including, but not limited to, corrections of grammatical, typographical, and like errors or missing signatures, if such errors are identified by the sponsor as cause to deny the final application.

1. In order to facilitate an accurate budget projection process, a sponsor shall be held harmless for FTE students who are not included in the FTE projection due to approval of charter school applications after the FTE projection deadline. In a further effort to facilitate an accurate budget projection, within 15 calendar days after receipt of a charter school application, a sponsor shall report to the Department of Education the name of the applicant entity, the proposed charter school location, and its projected FTE.

2. In order to ensure fiscal responsibility, an application for a charter school shall include a full accounting of expected assets, a projection of expected sources and amounts of income, including income derived from projected student enrollments and from community support, and an expense projection that includes full accounting of the costs of operation, including start-up costs.



903516

3.a. A sponsor shall by a majority vote approve or deny an application no later than 90 calendar days after the application is received, unless the sponsor and the applicant mutually agree in writing to temporarily postpone the vote to a specific date, at which time the sponsor shall by a majority vote approve or deny the application. If the sponsor fails to act on the application, an applicant may appeal to the State Board of Education as provided in paragraph (c). If an application is denied, the sponsor shall, within 10 calendar days after such denial, articulate in writing the specific reasons, based upon good cause, supporting its denial of the application and shall provide the letter of denial and supporting documentation to the applicant and to the Department of Education.

b. An application submitted by a high-performing charter school identified pursuant to s. 1002.331 or a high-performing charter school system identified pursuant to s. 1002.332 may be denied by the sponsor only if the sponsor demonstrates by clear and convincing evidence that:

(I) The application does not materially comply with the requirements in paragraph (a);

(II) The charter school proposed in the application does not materially comply with the requirements in paragraphs (9) (a) - (f);

(III) The proposed charter school's educational program does not substantially replicate that of the applicant or one of the applicant's high-performing charter schools;

(IV) The applicant has made a material misrepresentation or false statement or concealed an essential or material fact during the application process; or



903516

(V) The proposed charter school's educational program and financial management practices do not materially comply with the requirements of this section.

Material noncompliance is a failure to follow requirements or a violation of prohibitions applicable to charter school applications, which failure is quantitatively or qualitatively significant either individually or when aggregated with other noncompliance. An applicant is considered to be replicating a high-performing charter school if the proposed school is substantially similar to at least one of the applicant's high-performing charter schools and the organization or individuals involved in the establishment and operation of the proposed school are significantly involved in the operation of replicated schools.

c. If the sponsor denies an application submitted by a high-performing charter school or a high-performing charter school system, the sponsor must, within 10 calendar days after such denial, state in writing the specific reasons, based upon the criteria in sub-subparagraph b., supporting its denial of the application and must provide the letter of denial and supporting documentation to the applicant and to the Department of Education. The applicant may appeal the sponsor's denial of the application in accordance with paragraph (c).

4. For budget projection purposes, the sponsor shall report to the Department of Education the approval or denial of an application within 10 calendar days after such approval or denial. In the event of approval, the report to the Department of Education shall include the final projected FTE for the



903516

approved charter school.

5. Upon approval of an application, the initial startup shall commence with the beginning of the public school calendar for the district in which the charter is granted. A charter school may defer the opening of the school's operations for up to 3 ~~2~~ years to provide time for adequate facility planning. The charter school must provide written notice of such intent to the sponsor and the parents of enrolled students at least 30 calendar days before the first day of school.

Section 9. Subsection (1) of section 1002.331, Florida Statutes, is amended to read:

1002.331 High-performing charter schools.—

(1) A charter school is a high-performing charter school if it:

(a) Received at least two school grades of "A" and no school grade below "B," pursuant to s. 1008.34, during each of the previous 3 school years or received at least two consecutive school grades of "A" in the most recent 2 school years.

(b) Received an unqualified opinion on each annual financial audit required under s. 218.39 in the most recent 3 fiscal years for which such audits are available.

(c) Did not receive a financial audit that revealed one or more of the financial emergency conditions set forth in s. 218.503(1) in the most recent 3 fiscal years for which such audits are available. However, this requirement is deemed met for a charter school-in-the-workplace if there is a finding in an audit that the school has the monetary resources available to cover any reported deficiency or that the deficiency does not result in a deteriorating financial condition pursuant to s.



903516

1002.345(1)(a)3.

For purposes of determining initial eligibility, the requirements of paragraphs (b) and (c) only apply to the most recent 2 fiscal years if the charter school earns two consecutive grades of "A." A virtual charter school established under s. 1002.33 is not eligible for designation as a high-performing charter school.

Section 10. Present subsections (11) and (12) of section 1002.333, Florida Statutes, are redesignated as subsections (12) and (13), respectively, a new subsection (11) is added to that section, and subsections (1) and (2), paragraph (a) of subsection (4), paragraphs (b), (g), and (i) of subsection (5), paragraph (a) of subsection (7), subsection (9), and paragraph (b) of subsection (10) of that section are amended, to read:

1002.333 Persistently low-performing schools.—

(1) DEFINITIONS.—As used in this section, the term:

(a) "Hope operator" means an entity identified by the department pursuant to subsection (2).

(b) "Persistently low-performing school" means a school that has completed 2 school years of a district-managed turnaround plan required under s. 1008.33(4)(a) and has not improved its school grade to a "C" or higher, ~~earned three consecutive grades lower than a "C,"~~ pursuant to s. 1008.34, and a school that was closed pursuant to s. 1008.33(4) within 2 years after the submission of a notice of intent.

(c) "School of hope" means:

1. A charter school operated by a hope operator which serves students from one or more persistently low-performing



903516

schools~~;~~ is located in the attendance zone of a persistently low-performing school ~~or within a 5-mile radius of such school, whichever is greater;~~ and is a Title I eligible school; or

2. A school operated by a hope operator pursuant to s. 1008.33(4)(b)3.b. ~~s. 1008.33(4)(b)3.~~

(2) HOPE OPERATOR.—A hope operator is a nonprofit organization with tax exempt status under s. 501(c)(3) of the Internal Revenue Code which ~~that~~ operates three or more charter schools that serve students in grades K-12 in Florida or other states with a record of serving students from low-income families and is designated by the State Board of Education as a hope operator based on a determination that:

(a) The past performance of the hope operator meets or exceeds the following criteria:

1. The achievement of enrolled students exceeds the district and state averages of the states in which the operator's schools operate;

2. The average college attendance rate at all schools currently operated by the operator exceeds 80 percent, if such data is available;

3. The percentage of students eligible for a free or reduced price lunch under the National School Lunch Act enrolled at all schools currently operated by the operator exceeds 70 percent;

4. The operator is in good standing with the authorizer in each state in which it operates;

5. The audited financial statements of the operator are free of material misstatements and going concern issues; and

6. Other outcome measures as determined by the State Board



903516

of Education;

(b) The operator was awarded a United States Department of Education Charter School Program Grant for Replication and Expansion of High-Quality Charter Schools within the preceding 3 years before applying to be a hope operator;

(c) The operator receives funding through the National Fund of the Charter School Growth Fund to accelerate the growth of the nation's best charter schools; or

(d) The operator is selected by a district school board in accordance with s. 1008.33.

An entity that meets the requirements of paragraph (b), paragraph (c), or paragraph (d) before the adoption by the state board of measurable criteria pursuant to paragraph (a) shall be designated as a hope operator. After the adoption of the measurable criteria, an entity, including a governing board that operates a school established pursuant to s. 1008.33(4)(b)3.b. ~~s. 1008.33(4)(b)3.~~, shall be designated as a hope operator if it meets the criteria of paragraph (a).

(4) ESTABLISHMENT OF SCHOOLS OF HOPE.—A hope operator seeking to open a school of hope must submit a notice of intent to the school district in which a persistently low-performing school has been identified by the State Board of Education pursuant to subsection (10).

(a) The notice of intent must include all of the following:

1. An academic focus and plan.

2. A financial plan.

3. Goals and objectives for increasing student achievement for the students from low-income families.



903516

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



903516

paragraph (d) ~~(e)~~ or generally accepted standards of fiscal management or the school of hope materially violates the law or the terms of the agreement.

(7) FACILITIES.—

(a) 1. A school of hope that meets the definition under subparagraph (1)(c)1. shall use facilities that comply with the Florida Building Code, except for the State Requirements for Educational Facilities. A school of hope that uses school district facilities must comply with the State Requirements for Educational Facilities only if the school district and the hope operator have entered into a mutual management plan for the reasonable maintenance of such facilities. The mutual management plan shall contain a provision by which the district school board agrees to maintain the school facilities in the same manner as its other public schools within the district.

2. A school of hope that meets the definition under subparagraph (1)(c)2. and that receives funds from the hope supplemental services allocation under s. 1011.62(16) shall use the district-owned facilities of the persistently low-performing school that the school of hope operates. A school of hope that uses district-owned facilities must enter into a mutual management plan with the school district for the reasonable maintenance of the facilities. The mutual management plan must contain a provision specifying that the district school board agrees to maintain the school facilities in the same manner as other public schools within the district.

The local governing authority shall not adopt or impose any local building requirements or site-development restrictions,



903516

such as parking and site-size criteria, student enrollment, and occupant load, that are addressed by and more stringent than those found in the State Requirements for Educational Facilities of the Florida Building Code. A local governing authority must treat schools of hope equitably in comparison to similar requirements, restrictions, and site planning processes imposed upon public schools. The agency having jurisdiction for inspection of a facility and issuance of a certificate of occupancy or use shall be the local municipality or, if in an unincorporated area, the county governing authority. If an official or employee of the local governing authority refuses to comply with this paragraph, the aggrieved school or entity has an immediate right to bring an action in circuit court to enforce its rights by injunction. An aggrieved party that receives injunctive relief may be awarded reasonable attorney fees and court costs.

(9) FUNDING.—

(a) Schools of hope shall be funded in accordance with s. 1002.33(17).

(b) Schools of hope shall receive priority in the department's Public Charter School Grant Program competitions.

(c) Schools of hope shall be considered charter schools for purposes of s. 1013.62, except charter capital outlay may not be used to purchase real property or for the construction of school facilities.

(d) Schools of hope that meet the definition under subparagraph (1)(c)1. are eligible to receive funds from the Schools of Hope Program.

(e) Schools of hope that meet the definition under



903516

subparagraph (1)(c)2. are eligible to receive funds from the
hope supplemental services allocation established under s.
1011.62(16).

(10) SCHOOLS OF HOPE PROGRAM.—The Schools of Hope Program
is created within the Department of Education.

(b) A traditional public school that is required to submit
a plan for implementation pursuant to s. 1008.33(4) is eligible
to receive funding for services authorized up to \$2,000 per
full-time equivalent student from the hope supplemental services
allocation established under s. 1011.62(16) ~~Schools of Hope~~
~~Program based upon the strength of the school's plan for~~
~~implementation and its focus on evidence-based interventions~~
~~that lead to student success by providing wrap-around services~~
~~that leverage community assets, improve school and community~~
~~collaboration, and develop family and community partnerships.~~
~~Wrap-around services include, but are not limited to, tutorial~~
~~and after-school programs, student counseling, nutrition~~
~~education, parental counseling, and adult education. Plans for~~
~~implementation may also include models that develop a culture of~~
~~attending college, high academic expectations, character~~
~~development, dress codes, and an extended school day and school~~
~~year. At a minimum, a plan for implementation must:~~

1. ~~Establish wrap-around services that develop family and~~
~~community partnerships.~~

2. ~~Establish clearly defined and measurable high academic~~
~~and character standards.~~

3. ~~Increase parental involvement and engagement in the~~
~~child's education.~~

4. ~~Describe how the school district will identify, recruit,~~



903516

~~retain, and reward instructional personnel. The state board may waive the requirements of s. 1012.22(1)(c)5., and suspend the requirements of s. 1012.34, to facilitate implementation of the plan.~~

~~5. Identify a knowledge-rich curriculum that the school will use that focuses on developing a student's background knowledge.~~

~~6. Provide professional development that focuses on academic rigor, direct instruction, and creating high academic and character standards.~~

(11) SCHOOLS OF HOPE MANAGEMENT.-A hope operator or the owner of a school of hope may not serve as the principal of any school that he or she manages.

Section 11. Section 1002.334, Florida Statutes, is created to read:

1002.334 Franchise model schools.-

(1) As used in this section, the term "franchise model school" means a persistently low-performing school, as defined in s. 1002.333(1)(b), which is led by a highly effective principal in addition to the principal's currently assigned school. If a franchise model school achieves a grade of "C" or higher, the school may retain its status as a franchise model school at the discretion of the school district.

(2) A school district that has one or more persistently low-performing schools may use a franchise model school as a school turnaround option pursuant to s. 1008.33(4)(b)4.

(3) A franchise model school principal:

(a) Must be rated as highly effective pursuant to s. 1012.34;



903516

(b) May lead two or more schools, including a persistently low-performing school or a school that was considered a persistently low-performing school before becoming a franchise model school;

(c) May allocate resources and personnel between the schools under his or her administration; however, he or she must expend hope supplemental services allocation funds, authorized under s. 1011.62(16), at the franchise model school; and

(d) Is eligible to receive a Best and Brightest Principal award under s. 1012.732.

Section 12. Paragraph (d) of subsection (2), paragraphs (d) and (h) of subsection (5), subsection (8), and paragraph (a) of subsection (11) of section 1002.385, Florida Statutes, are amended to read:

1002.385 The Gardiner Scholarship.—

(2) DEFINITIONS.—As used in this section, the term:

(d) "Disability" means, for a 3- or 4-year-old child or for a student in kindergarten to grade 12, autism spectrum disorder, as defined in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, published by the American Psychiatric Association; cerebral palsy, as defined in s. 393.063(6); Down syndrome, as defined in s. 393.063(15); an intellectual disability, as defined in s. 393.063(24); Phelan-McDermid syndrome, as defined in s. 393.063(28); Prader-Willi syndrome, as defined in s. 393.063(29); spina bifida, as defined in s. 393.063(40); being a high-risk child, as defined in s. 393.063(23)(a); muscular dystrophy; Williams syndrome; a rare disease, a disorder that affects ~~diseases which affect~~ patient populations of ~~fewer than~~ 200,000 individuals or fewer in the



903516

United States, as defined by the Orphan Drug Act of 1983, Pub. L. No. 97-414 ~~National Organization for Rare Disorders~~; anaphylaxis; deaf; visually impaired; traumatic brain injured; hospital or homebound; or identification as dual sensory impaired, as defined by rules of the State Board of Education and evidenced by reports from local school districts. The term "hospital or homebound" includes a student who has a medically diagnosed physical or psychiatric condition or illness, as defined by the state board in rule, and who is confined to the home or hospital for more than 6 months.

(5) AUTHORIZED USES OF PROGRAM FUNDS.—Program funds must be used to meet the individual educational needs of an eligible student and may be spent for the following purposes:

(d) Enrollment in, or tuition or fees associated with enrollment in, a home education program, an eligible private school, an eligible postsecondary educational institution or a program offered by the institution, ~~a private tutoring program authorized under s. 1002.43~~, a virtual program offered by a department-approved private online provider that meets the provider qualifications specified in s. 1002.45(2)(a), the Florida Virtual School as a private paying student, or an approved online course offered pursuant to s. 1003.499 or s. 1004.0961.

(h) Tuition and fees for part-time tutoring services provided by a person who holds a valid Florida educator's certificate pursuant to s. 1012.56; a person who holds an adjunct teaching certificate pursuant to s. 1012.57; or a person who has demonstrated a mastery of subject area knowledge pursuant to s. 1012.56(5). As used in this paragraph, the term



903516

“part-time tutoring services” does not qualify as regular school attendance as defined in s. 1003.01(13) ~~s. 1003.01(13)(c)~~.

A provider of any services receiving payments pursuant to this subsection may not share, refund, or rebate any moneys from the Gardiner Scholarship with the parent or participating student in any manner. A parent, student, or provider of any services may not bill an insurance company, Medicaid, or any other agency for the same services that are paid for using Gardiner Scholarship funds.

(8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible private school may be sectarian or nonsectarian and shall:

(a) Comply with all requirements for private schools participating in state school choice scholarship programs pursuant to s. 1002.421.

(b) Provide to the organization, upon request, all documentation required for the student’s participation, including the private school’s and student’s fee schedules.

(c) Be academically accountable to the parent for meeting the educational needs of the student by:

1. At a minimum, annually providing to the parent a written explanation of the student’s progress.

2. Annually administering or making provision for students participating in the program in grades 3 through 10 to take one of the nationally norm-referenced tests identified by the Department of Education or the statewide assessments pursuant to s. 1008.22. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement. A participating private school shall report a student’s scores to



903516

the parent.

3. Cooperating with the scholarship student whose parent chooses to have the student participate in the statewide assessments pursuant to s. 1008.22 or, if a private school chooses to offer the statewide assessments, administering the assessments at the school.

a. A participating private school may choose to offer and administer the statewide assessments to all students who attend the private school in grades 3 through 10.

b. A participating private school shall submit a request in writing to the Department of Education by March 1 of each year in order to administer the statewide assessments in the subsequent school year.

(d) Employ or contract with teachers who have regular and direct contact with each student receiving a scholarship under this section at the school's physical location.

(e) Provide a report from an independent certified public accountant who performs the agreed-upon procedures developed under s. 1002.395(6)(o) if the private school receives more than \$250,000 in funds from scholarships awarded under this chapter ~~section~~ in a state fiscal year. A private school subject to this paragraph must annually submit the report by September 15 to the organization that awarded the majority of the school's scholarship funds. The agreed-upon procedures must be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants.

If a private school fails or refuses ~~is unable~~ to meet the requirements of this subsection or has consecutive years of



903516

material exceptions listed in the report required under paragraph (e), the commissioner may determine that the private school is ineligible to participate in the program.

(11) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM PARTICIPATION.—A parent who applies for program participation under this section is exercising his or her parental option to determine the appropriate placement or the services that best meet the needs of his or her child. The scholarship award for a student is based on a matrix that assigns the student to support Level III services. If a parent receives an IEP and a matrix of services from the school district pursuant to subsection (7), the amount of the payment shall be adjusted as needed, when the school district completes the matrix.

(a) To satisfy or maintain program eligibility, including eligibility to receive and spend program payments, the parent must sign an agreement with the organization and annually submit a notarized, sworn compliance statement to the organization to:

1. Affirm that the student is enrolled in a program that meets regular school attendance requirements as provided in s. 1003.01(13)(b) or (c) ~~s. 1003.01(13)(b)-(d)~~.

2. Affirm that the program funds are used only for authorized purposes serving the student's educational needs, as described in subsection (5).

3. Affirm that the parent is responsible for the education of his or her student by, as applicable:

a. Requiring the student to take an assessment in accordance with paragraph (8)(c);

b. Providing an annual evaluation in accordance with s. 1002.41(1)(c); or



903516

c. Requiring the child to take any preassessments and postassessments selected by the provider if the child is 4 years of age and is enrolled in a program provided by an eligible Voluntary Prekindergarten Education Program provider. A student with disabilities for whom a preassessment and postassessment is not appropriate is exempt from this requirement. A participating provider shall report a student's scores to the parent.

4. Affirm that the student remains in good standing with the provider or school if those options are selected by the parent.

A parent who fails to comply with this subsection forfeits the Gardiner Scholarship.

Section 13. Subsection (3), paragraph (f) of subsection (6), and subsection (8) of section 1002.39, Florida Statutes, are amended to read:

1002.39 The John M. McKay Scholarships for Students with Disabilities Program.—There is established a program that is separate and distinct from the Opportunity Scholarship Program and is named the John M. McKay Scholarships for Students with Disabilities Program.

(3) JOHN M. MCKAY SCHOLARSHIP PROHIBITIONS.—A student is not eligible for a John M. McKay Scholarship:

(a) While he or she is enrolled in a school operating for the purpose of providing educational services to youth in Department of Juvenile Justice commitment programs;

(b) While he or she is receiving a Florida tax credit scholarship under s. 1002.395;

(c) While he or she is receiving an educational scholarship



903516

pursuant to this chapter;

(d) While he or she is participating in a home education program as defined in s. 1002.01(1);

~~(e) While he or she is participating in a private tutoring program pursuant to s. 1002.43;~~

(e)~~(f)~~ While he or she is participating in a virtual school, correspondence school, or distance learning program that receives state funding pursuant to the student's participation unless the participation is limited to no more than two courses per school year;

(f)~~(g)~~ While he or she is enrolled in the Florida School for the Deaf and the Blind;

(g)~~(h)~~ While he or she is not having regular and direct contact with his or her private school teachers at the school's physical location unless he or she is enrolled in the private school's transition-to-work program pursuant to subsection (10); or

(h)~~(i)~~ If he or she has been issued a temporary 504 accommodation plan under s. 504 of the Rehabilitation Act of 1973 which is valid for 6 months or less.

(6) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department shall:

(f)1. Conduct ~~random~~ site visits to private schools participating in the John M. McKay Scholarships for Students with Disabilities Program as authorized under s. 1002.421(7). The purposes ~~purpose~~ of the site visits are ~~is solely~~ to verify compliance with the provisions of subsection (7) aimed at protecting the health, safety, and welfare of students and to verify the information reported by the schools concerning the



903516

enrollment and attendance of students, the credentials of teachers, background screening of teachers, and teachers' fingerprinting results, which information is required by rules of the State Board of Education, subsection (8), and s. 1002.421. The Department of Education may ~~not~~ make followup more than three random site visits at any time to any school that has received a notice of noncompliance or a notice of proposed action within the previous 2 years pursuant to subsection (7) ~~each year and may not make more than one random site visit each year to the same private school.~~

2. Annually, by December 15, report to the Governor, the President of the Senate, and the Speaker of the House of Representatives the Department of Education's actions with respect to implementing accountability in the scholarship program under this section and s. 1002.421, any substantiated allegations or violations of law or rule by an eligible private school under this program concerning the enrollment and attendance of students, the credentials of teachers, background screening of teachers, and teachers' fingerprinting results and the corrective action taken by the Department of Education.

(8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—To be eligible to participate in the John M. McKay Scholarships for Students with Disabilities Program, a private school may be sectarian or nonsectarian and must:

(a) Comply with all requirements for private schools participating in state school choice scholarship programs pursuant to s. 1002.421.

(b) Provide to the department all documentation required for a student's participation, including the private school's



903516

and student's fee schedules, at least 30 days before any quarterly scholarship payment is made for the student pursuant to paragraph (11)(e). A student is not eligible to receive a quarterly scholarship payment if the private school fails to meet this deadline.

(c) Be academically accountable to the parent for meeting the educational needs of the student by:

1. At a minimum, annually providing to the parent a written explanation of the student's progress.

2. Cooperating with the scholarship student whose parent chooses to participate in the statewide assessments pursuant to s. 1008.22.

(d) Maintain in this state a physical location where a scholarship student regularly attends classes.

(e) If the private school that participates in a state scholarship program under this chapter receives more than \$250,000 in funds from scholarships awarded under chapter 1002 in a state fiscal year, provide an annual report from an independent certified public accountant who performs the agreed-upon procedures developed under s. 1002.395(6)(o). Such a private school must annually submit the required report by September 15 to the organization that awarded the majority of the school's scholarship funds. The agreed-upon procedures must be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants.

The failure or refusal ~~inability~~ of a private school to meet the requirements of this subsection shall constitute a basis for the



903516

ineligibility of the private school to participate in the scholarship program as determined by the department.

Section 14. Subsection (4), paragraph (o) of subsection (6), subsection (8), and paragraph (n) of subsection (9) of section 1002.395, Florida Statutes, are amended to read:

1002.395 Florida Tax Credit Scholarship Program.—

(4) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for a scholarship while he or she is:

(a) Enrolled in a school operating for the purpose of providing educational services to youth in Department of Juvenile Justice commitment programs;

(b) Receiving a scholarship from another eligible nonprofit scholarship-funding organization under this section;

(c) Receiving an educational scholarship pursuant to chapter 1002;

(d) Participating in a home education program as defined in s. 1002.01(1);

~~(e) Participating in a private tutoring program pursuant to s. 1002.43;~~

(e)~~(f)~~ Participating in a virtual school, correspondence school, or distance learning program that receives state funding pursuant to the student's participation unless the participation is limited to no more than two courses per school year; or

(f)~~(g)~~ Enrolled in the Florida School for the Deaf and the Blind.

(6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS.—An eligible nonprofit scholarship-funding organization:

(o)1.a. Must participate in the joint development of



903516

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



903516

provided the majority of the scholarship funding to the school.
For each private school subject to paragraph (8)(e), the
appropriate scholarship-funding organization shall notify the
Commissioner of Education by October 30, 2011, and annually
thereafter of:

(I) A private school's failure to submit a report required
under paragraph (8)(e); or

(II) Any material exceptions set forth in the report
required under paragraph (8)(e).

2. Must seek input from the accrediting associations that
are members of the Florida Association of Academic Nonpublic
Schools when jointly developing the agreed-upon procedures and
guidelines under sub-subparagraph 1.a. and conducting a review
of those procedures and guidelines under sub-subparagraph 1.b.

Information and documentation provided to the Department of
Education and the Auditor General relating to the identity of a
taxpayer that provides an eligible contribution under this
section shall remain confidential at all times in accordance
with s. 213.053.

(8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible
private school may be sectarian or nonsectarian and must:

(a) Comply with all requirements for private schools
participating in state school choice scholarship programs
pursuant to s. 1002.421.

(b) Provide to the eligible nonprofit scholarship-funding
organization, upon request, all documentation required for the
student's participation, including the private school's and
student's fee schedules.



903516

(c) Be academically accountable to the parent for meeting the educational needs of the student by:

1. At a minimum, annually providing to the parent a written explanation of the student's progress.

2. Annually administering or making provision for students participating in the scholarship program in grades 3 through 10 to take one of the nationally norm-referenced tests identified by the Department of Education or the statewide assessments pursuant to s. 1008.22. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement. A participating private school must report a student's scores to the parent. A participating private school must annually report by August 15 the scores of all participating students to the Learning System Institute described in paragraph (9)(j).

3. Cooperating with the scholarship student whose parent chooses to have the student participate in the statewide assessments pursuant to s. 1008.22 or, if a private school chooses to offer the statewide assessments, administering the assessments at the school.

a. A participating private school may choose to offer and administer the statewide assessments to all students who attend the private school in grades 3 through 10.

b. A participating private school must submit a request in writing to the Department of Education by March 1 of each year in order to administer the statewide assessments in the subsequent school year.

(d) Employ or contract with teachers who have regular and direct contact with each student receiving a scholarship under



903516

this section at the school's physical location.

(e) Provide a report from an independent certified public accountant who performs the agreed-upon procedures developed under paragraph (6)(o) if the private school receives more than \$250,000 in funds from scholarships awarded under this chapter section in a state fiscal year. A private school subject to this paragraph must annually submit the report by September 15 to the scholarship-funding organization that awarded the majority of the school's scholarship funds. The agreed-upon procedures must be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants.

If a private school fails or refuses ~~is unable~~ to meet the requirements of this subsection or has consecutive years of material exceptions listed in the report required under paragraph (e), the commissioner may determine that the private school is ineligible to participate in the scholarship program as determined by the Department of Education.

(9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of Education shall:

(n)1. Conduct site visits to private schools participating in the Florida Tax Credit Scholarship Program as authorized under s. 1002.421(7). The purposes ~~purpose~~ of the site visits are ~~is solely~~ to verify compliance with the provisions of subsection (11) aimed at protecting the health, safety, and welfare of students and to verify the information reported by the schools concerning the enrollment and attendance of students, the credentials of teachers, background screening of



903516

teachers, and teachers' fingerprinting results. ~~The Department of Education may not make more than seven site visits each year; however,~~ The department may make followup additional site visits at any time to any school that, pursuant to subsection (11), has received a notice of noncompliance or a notice of proposed action within the previous 2 years.

2. Annually, by December 15, report to the Governor, the President of the Senate, and the Speaker of the House of Representatives the Department of Education's actions with respect to implementing accountability in the scholarship program under this section and s. 1002.421, any substantiated allegations or violations of law or rule by an eligible private school under this program concerning the enrollment and attendance of students, the credentials of teachers, background screening of teachers, and teachers' fingerprinting results and the corrective action taken by the Department of Education.

Section 15. Section 1002.40, Florida Statutes, is created to read:

1002.40 The Hope Scholarship Program.—

(1) PURPOSE.—The Hope Scholarship Program is established to provide the parent of a public school student who was the victim of a substantiated incident of violence or abuse, as listed in subsection (3), an opportunity to transfer the student to another public school that has capacity or to request and receive a scholarship for the student to enroll in and attend an eligible private school.

(2) DEFINITIONS.—As used in this section, the term:

(a) "Department" means the Department of Education.

(b) "Eligible contribution" or "contribution" means a



903516

monetary contribution from a person required to pay sales and
use tax on the purchase or acquisition of a motor vehicle,
subject to the restrictions provided in this section, to an
eligible nonprofit scholarship-funding organization. The
taxpayer making the contribution may not designate a specific
student as the beneficiary of the contribution.

(c) "Eligible nonprofit scholarship-funding organization"
or "organization" has the same meaning as provided in s.
1002.395(2)(f), as determined by the department.

(d) "Eligible private school" has the same meaning as
provided in s. 1002.395(2)(g), as determined by the department.

(e) "Motor vehicle" has the same meaning as provided in s.
320.01(1)(a), but does not include heavy trucks, truck tractors,
trailers, and motorcycles.

(f) "Parent" means a resident of this state who is a
parent, as defined in s. 1000.21, and whose public school
student was the victim of a reported incident, as listed in
subsection (3).

(g) "Principal" means the principal or his or her designee.

(h) "Program" means the Hope Scholarship Program.

(i) "School" includes any educational program or activity
conducted by a public K-12 educational institution, any school-
related or school-sponsored program or activity, and riding on a
school bus, as defined in s. 1006.25(1), including waiting at a
school bus stop.

(j) "Unweighted FTE funding amount" means the statewide
average total funds per unweighted full-time equivalent funding
amount that is incorporated by reference in the General
Appropriations Act for the applicable state fiscal year.



903516

(3) PROGRAM ELIGIBILITY.—Beginning with the 2018-2019 school year, contingent upon available funds, and on a first-come, first-served basis, a student enrolled full time in a Florida public school in kindergarten through grade 12 is eligible for a scholarship under this program if all of the following conditions are met:

(a) The student is the victim of a substantiated incident of battery; harassment; hazing; bullying; kidnapping; physical attack; robbery; sexual offenses, harassment, assault, or battery; threat or intimidation; or fighting at school.

(b) The incident is formally reported by the victim or the victim's parent to the principal.

(c) Through an investigation, the principal finds that the incident is substantiated.

(d) The principal's investigation remains open or the district's resolution of issues related to the incident remain unresolved after timely notification, deliberative evaluation, and 30 days of responsible and appropriate action taken in accordance with paragraph (5) (a).

(4) PROGRAM PROHIBITIONS.—Payment of a scholarship may not be made if a student is:

(a) Enrolled in a public school, including, but not limited to, the Florida School for the Deaf and the Blind; the College-Preparatory Boarding Academy; the Florida Virtual School; a developmental research school authorized under s. 1002.32; or a charter school authorized under s. 1002.33, s. 1002.331, s. 1002.332, or s. 1002.333;

(b) Enrolled in a school operating for the purpose of providing educational services to youth in the Department of



903516

Juvenile Justice commitment programs;

(c) Participating in a virtual school, correspondence school, or distance learning program that receives state funding pursuant to the student's participation unless the participation is limited to no more than two courses per school year;

(d) Receiving any other educational scholarship pursuant to this chapter; or

(e) Participating in a home education program, as defined in s. 1002.01.

(5) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.—

(a)1. Within 24 hours after receipt of a formal report of an incident listed in subsection (3)(a), the principal shall provide a copy of the report to the victim's parent and the alleged offender's parent. The report must include a statement of the expected investigative actions and the timeline for reporting the outcome of the investigation. Within 24 hours after receipt of the formal report, the principal must also provide the superintendent with a copy of the report and verification that the parents of the victim and the alleged offender have been provided a copy of the incident report and other required information.

2. In accordance with s. 1006.09, the principal must investigate the incident to determine if the incident is substantiated or unsubstantiated, and if the incident must be reported. The principal may, at his or her discretion, determine the extent to which each student was engaged in instigating, initiating, or reacting to a physical altercation, and may consider such information when evaluating and determining appropriate disciplinary actions and investigation outcomes.



903516

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



903516

scholarship-funding organization that verifies the student's eligibility.

6. To facilitate timely, appropriate, and fiscally accountable scholarship payments, school districts must report and verify student enrollment information during and outside of regular FTE student enrollment survey periods, as requested by the department pursuant to paragraph (7) (d).

(b)1. A parent who, pursuant to s. 1002.31, chooses to enroll his or her student in a Florida public school located outside the district in which the student resides shall be eligible for a scholarship under paragraph (11) (b) to transport the student.

2. For each student participating in the program in a private school who chooses to participate in the statewide assessments under s. 1008.22 or the Florida Alternate Assessment, the school district in which the student resides must notify the student and his or her parent about the locations and times to take all statewide assessments.

(6) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible private school may be sectarian or nonsectarian and shall:

(a) Meet the definition of a private school in s. 1002.01 and comply with all requirements for private schools participating in state school choice scholarship programs pursuant to this section and s. 1002.421.

(b) Provide to the organization and the department, upon request, all documentation required for the student's participation, including, but not limited to, the private school's and the student's fee schedules.

(c) Be academically accountable to the parent for meeting



903516

the educational needs of the student by:

1. At a minimum, annually providing to the parent a written explanation of the student's progress.

2. Annually administering or making provision for students participating in the program in grades 3 through 10 to take one of the nationally norm-referenced tests identified by the department or the statewide assessments pursuant to s. 1008.22. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement. A participating private school shall report a student's scores to his or her parent.

3. Cooperating with the student whose parent chooses to have the student participate in the statewide assessments pursuant to s. 1008.22 or, if a private school chooses to offer the statewide assessments, administering the assessments at the school.

a. A participating private school may choose to offer and administer the statewide assessments to all students who attend the private school in grades 3 through 10.

b. A participating private school shall submit a request in writing to the department by March 1 of each year in order to administer the statewide assessments in the subsequent school year.

(d) Employ or contract with teachers who have regular and direct contact with each student receiving a scholarship under this section at the school's physical location.

(e) Maintain in this state a physical location where a scholarship student regularly attends classes.

(f) Provide a report from an independent certified public



903516

accountant who performs the agreed-upon procedures developed
under s. 1002.395(6) (o) if the private school receives more than
\$250,000 in funds from scholarships awarded under this section
in a state fiscal year. A private school subject to this
paragraph must annually submit the report by September 15 to the
organization that awarded the majority of the school's
scholarship funds. The agreed-upon procedures must be conducted
in accordance with attestation standards established by the
American Institute of Certified Public Accountants.

The failure of a private school to meet the requirements of this
subsection constitutes a basis for the ineligibility of the
private school to participate in the program, as determined by
the department.

(7) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department
shall:

(a) Establish a toll-free hotline that provides parents and
private schools with information on participation in the
program.

(b) Annually verify the eligibility of private schools that
meet the requirements of subsection (6).

(c) Require an annual notarized and sworn compliance
statement by participating private schools certifying compliance
with state laws and retain such records.

(d) Cross-check the list of participating students with the
public school enrollment lists and participation lists in other
scholarship programs established under this chapter before each
scholarship payment to avoid duplication.

(e) Maintain a list of nationally norm-referenced tests



903516

identified for purposes of satisfying the testing requirement in paragraph (9)(f). The tests must meet industry standards of quality in accordance with State Board of Education rule.

(f) Require quarterly reports by an eligible nonprofit scholarship-funding organization regarding the number of students participating in the scholarship program, the private schools in which the students are enrolled, and other information deemed necessary by the department.

(g) Contract with an independent entity to provide an annual evaluation of the program by:

1. Reviewing the school climate and code of student conduct of each public school that reported the occurrence of a monthly average of 10 or more substantiated incidents to determine areas in the school or school district procedures involving reporting, investigating, and communicating a parent's and student's rights which are in need of improvement. At a minimum, the review must include:

a. An assessment of the investigation time and quality of the response of the school and the school district;

b. An assessment of the effectiveness of communication procedures with the students involved in an incident, the students' parents, and the school and school district personnel;

c. An analysis of school incident and discipline data; and

d. The challenges and obstacles relating to implementing recommendations from this review.

2. Reviewing the school climate and code of student conduct of each public school a student transferred to if the student was from a school identified in subparagraph 1. in order to identify best practices and make recommendations to a public



903516

school at which the incidents occurred.

3. Reviewing the performance of participating students enrolled in a private school in which the majority of the school's total enrolled students in the prior school year participated in one or more scholarship programs, as defined in s. 1002.01, in which there are at least 10 participating students who have scores for tests administered; and reviewing the school climate and code of student conduct of the private school if one or more scholarship participants were involved in a reported incident at the school during the prior school year.

4. Surveying the parents of participating students to determine academic, safety, and school climate satisfaction and to identify any challenges or obstacles in addressing the incident or relating to the use of the scholarship.

(h) Upon the request of a participating private school, provide at no cost to the school the statewide assessments administered under s. 1008.22 and any related materials for administering the assessments. Students at a private school may be assessed using the statewide assessments if the addition of those students and the school does not cause the state to exceed its contractual caps for the number of students tested and the number of testing sites. The state shall provide the same materials and support to a private school that it provides to a public school. A private school that chooses to administer statewide assessments under s. 1008.22 shall follow the requirements set forth in ss. 1008.22 and 1008.24, rules adopted by the State Board of Education to implement those sections, and district-level testing policies established by the district school board.



903516

(i) Establish a process by which individuals may notify the department of any violation by a parent, private school, or school district of state laws relating to program participation. The department shall conduct an inquiry or make a referral to the appropriate agency for an investigation of any written complaint of a violation of this section if the complaint is signed by the complainant and is legally sufficient. A complaint is legally sufficient if such complaint contains ultimate facts that show that a violation of this section or any rule adopted by the State Board of Education pursuant to this section has occurred. In order to determine legal sufficiency, the department may require supporting information or documentation from the complainant. A department inquiry is not subject to the requirements of chapter 120.

(j)1. Conduct site visits to participating private schools. The purpose of the site visits is solely to verify the information reported by the schools concerning the enrollment and attendance of students, the credentials of teachers, background screening of teachers, teachers' fingerprinting results, and other conditions required pursuant to s. 1002.421 and this section. The department may not make more than seven site visits each year; however, the department may make additional site visits at any time to a school that is the subject of a violation complaint submitted pursuant to paragraph (i), is identified by an organization for a known or suspected violation, or has received a notice of noncompliance or a notice of proposed action within the current year or the previous 2 years.

2. Annually, by December 15, report to the Governor, the



903516

President of the Senate, and the Speaker of the House of
Representatives the department's actions with respect to
implementing accountability in the program under this section
and s. 1002.421, any substantiated allegations or violations of
law or rule by an eligible private school under this program,
and the corrective action taken by the department.

(8) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—

(a) The Commissioner of Education:

1. Shall deny, suspend, or revoke a private school's
participation in the program if it is determined that the
private school has failed to comply with the provisions of this
section. However, if the noncompliance is correctable within a
reasonable amount of time and if the health, safety, or welfare
of the students is not threatened, the commissioner may issue a
notice of noncompliance which provides the private school with a
timeframe within which to provide evidence of compliance before
taking action to suspend or revoke the private school's
participation in the program.

2. May deny, suspend, or revoke a private school's
participation in the program if the commissioner determines that
an owner or operator of the private school is operating or has
operated an educational institution in this state or in another
state or jurisdiction in a manner contrary to the health,
safety, or welfare of the public.

a. In making such a determination, the commissioner may
consider factors that include, but are not limited to, acts or
omissions by an owner or operator which led to a previous denial
or revocation of participation in an education scholarship
program; an owner's or operator's failure to reimburse the



903516

department for scholarship funds improperly received or retained
by a school; imposition of a prior criminal sanction related to
an owner's or operator's management or operation of an
educational institution; imposition of a civil fine or
administrative fine, license revocation or suspension, or
program eligibility suspension, termination, or revocation
related to an owner's or operator's management or operation of
an educational institution; or other types of criminal
proceedings in which an owner or operator was found guilty of,
regardless of adjudication, or entered a plea of nolo contendere
or guilty to, any offense involving fraud, deceit, dishonesty,
or moral turpitude.

b. For purposes of this subparagraph, the term "owner or
operator" includes an owner, operator, superintendent, or
principal of, or a person who has equivalent decisionmaking
authority over, a private school participating in the
scholarship program.

(b) The commissioner's determination is subject to the
following:

1. If the commissioner intends to deny, suspend, or revoke
a private school's participation in the program, the department
shall notify the private school of such proposed action in
writing by certified mail and regular mail to the private
school's address of record with the department. The notification
shall include the reasons for the proposed action and notice of
the timelines and procedures set forth in this paragraph.

2. The private school that is adversely affected by the
proposed action shall have 15 days after receipt of the notice
of proposed action to file with the department's agency clerk a



903516

request for a proceeding pursuant to ss. 120.569 and 120.57. If the private school is entitled to a hearing under s. 120.57(1), the department shall refer the request to the Division of Administrative Hearings.

3. Upon receipt of a request referred pursuant to this paragraph, the director of the Division of Administrative Hearings shall expedite the hearing and assign an administrative law judge who shall commence a hearing within 30 days after the receipt of the formal written request by the division and enter a recommended order within 30 days after the hearing or within 30 days after receipt of the hearing transcript, whichever is later. Each party shall be allowed 10 days in which to submit written exceptions to the recommended order. A final order shall be entered by the agency within 30 days after the entry of a recommended order. The provisions of this subparagraph may be waived upon stipulation by all parties.

(c) The commissioner may immediately suspend payment of scholarship funds if it is determined that there is probable cause to believe that there is:

1. An imminent threat to the health, safety, or welfare of the students; or

2. Fraudulent activity on the part of the private school. Notwithstanding s. 1002.22, in incidents of alleged fraudulent activity pursuant to this section, the department's Office of Inspector General is authorized to release personally identifiable records or reports of students to the following persons or organizations:

a. A court of competent jurisdiction in compliance with an order of that court or the attorney of record in accordance with



903516

a lawfully issued subpoena, consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

b. A person or entity authorized by a court of competent jurisdiction in compliance with an order of that court or the attorney of record pursuant to a lawfully issued subpoena, consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

c. Any person, entity, or authority issuing a subpoena for law enforcement purposes when the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g, and 34 C.F.R. s. 99.31.

The commissioner's suspension of payment pursuant to this paragraph may be appealed pursuant to the same procedures and timelines as the notice of proposed action set forth in paragraph (b).

(9) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM PARTICIPATION.—A parent who applies for a Hope Scholarship is exercising his or her parental option to place his or her student in an eligible private school.

(a) The parent must select an eligible private school and apply for the admission of his or her student.

(b) The parent must inform the student's school district when the parent withdraws his or her student to attend an eligible private school.

(c) Any student participating in the program must comply with the regular attendance requirements of s. 1003.01(13) and



903516

remain in attendance throughout the school year unless excused by the school for illness or other good cause.

(d) Each parent and each student has an obligation to the private school to comply with the private school's published policies.

(e) Upon reasonable notice to the department and the school district, the parent may remove the student from the private school and place the student in a public school in accordance with this section.

(f) The parent must ensure that the student participating in the program takes the norm-referenced assessment offered by the private school. The parent may also choose to have the student participate in the statewide assessments pursuant to s. 1008.22. If the parent requests that the student participating in the program take the statewide assessments pursuant to s. 1008.22 and the private school has not chosen to offer and administer the statewide assessments, the parent is responsible for transporting the student to the assessment site designated by the school district.

(g) Upon receipt of a scholarship warrant, the parent to whom the warrant is made must restrictively endorse the warrant to the private school for deposit into the account of the private school. The parent may not designate any entity or individual associated with the participating private school as the parent's attorney in fact to endorse a scholarship warrant. A parent who fails to comply with this paragraph forfeits the scholarship.

(10) OBLIGATIONS OF NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS.—An organization may establish scholarships for



903516

eligible students by:

(a) Receiving applications and determining student eligibility in accordance with the requirements of this section.

(b) Notifying parents of their receipt of a scholarship on a first-come, first-served basis, based upon available funds.

(c) Preparing and submitting quarterly and annual reports to the department pursuant to paragraphs (7)(f) and (g). In addition, an eligible nonprofit scholarship-funding organization must submit in a timely manner any information requested by the department relating to the scholarship program.

(d) Notifying the department of any known or suspected violation of this section by a private school, parent, or student.

(11) FUNDING AND PAYMENT.—

(a) The maximum amount awarded to a student enrolled in an eligible private school shall be determined as a percentage of the unweighted FTE funding amount for that state fiscal year and thereafter as follows:

1. Eighty-eight percent for a student enrolled in kindergarten through grade 5.

2. Ninety-two percent for a student enrolled in grade 6 through grade 8.

3. Ninety-six percent for a student enrolled in grade 9 through grade 12.

(b) The maximum amount awarded to a student enrolled in a Florida public school located outside of the district in which the student resides shall be \$750.

(c) When a student enters the program, the organization must receive all documentation required for the student's



903516

participation, including a copy of the report of the substantiated incident received pursuant to subsection (5) and the private school's and the student's fee schedules. The initial payment shall be made after verification of admission acceptance, and subsequent payments shall be made upon verification of continued enrollment and attendance at the private school.

(d) Payment of the scholarship by the eligible nonprofit scholarship-funding organization may be by individual warrant made payable to the student's parent or by funds transfer made by debit cards, electronic payment cards, or other means of payment which the department deems to be commercially viable or cost-effective. If payment is made by warrant, the warrant must be delivered by the eligible nonprofit scholarship-funding organization to the private school of the parent's choice, and the parent shall restrictively endorse the warrant to the private school. If payment is made by funds transfer, the parent must approve each payment before the scholarship funds may be deposited. The parent may not designate any entity or individual associated with the participating private school as the parent's attorney in fact to endorse a scholarship warrant or approve a funds transfer.

(e) An eligible nonprofit scholarship-funding organization shall obtain verification from the private school of a student's continued attendance at the school for each period covered by a scholarship payment.

(f) Payment of the scholarship shall be made by the eligible nonprofit scholarship-funding organization no less frequently than on a quarterly basis.



903516

(g) An organization may use up to 3 percent of eligible contributions received during the state fiscal year in which such contributions are collected for administrative expenses if the organization has operated as an eligible nonprofit scholarship-funding organization for at least the preceding 3 fiscal years and did not have any findings of material weakness or material noncompliance in its most recent audit under s. 1002.395(6)(m). Such administrative expenses must be reasonable and necessary for the organization's management and distribution of eligible contributions under this section. Funds authorized under this paragraph may not be used for lobbying or political activity or expenses related to lobbying or political activity. Up to one-third of the funds authorized for administrative expenses under this paragraph may be used for expenses related to the recruitment of contributions from taxpayers. An eligible nonprofit scholarship-funding organization may not charge an application fee.

(h) Moneys received pursuant to this section do not constitute taxable income to the qualified student or his or her parent.

(12) OBLIGATIONS OF THE AUDITOR GENERAL.—

(a) The Auditor General shall conduct an annual operational audit of accounts and records of each organization that participates in the program. As part of this audit, the Auditor General shall verify, at a minimum, the total number of students served and transmit that information to the department. The Auditor General shall provide the commissioner with a copy of each annual operational audit performed pursuant to this subsection within 10 days after the audit is finalized.



903516

(b) The Auditor General shall notify the department of any organization that fails to comply with a request for information.

(13) SCHOLARSHIP FUNDING TAX CREDITS.—

(a) A tax credit is available under s. 212.1832 for use by a taxpayer that makes an eligible contribution to the program. Each eligible contribution is limited to a single payment of \$20 at the time of purchase of a motor vehicle or a single payment of \$20 at the time of registration of a motor vehicle that was not purchased from a dealer. An eligible contribution shall be accompanied by an election to contribute to the program and shall be made by the purchaser at the time of purchase or at the time of registration on a form provided by the Department of Revenue. Payments of contributions shall be made to a dealer, as defined in chapter 212, at the time of purchase of a motor vehicle or to an agent of the Department of Revenue, as designated by s. 212.06(10), at the time of registration of a motor vehicle that was not purchased from a dealer.

(b) A tax collector or any person or firm authorized to sell or issue a motor vehicle license who is designated as an agent of the Department of Revenue pursuant to s. 212.06(10) or who is a dealer shall:

1. Provide the purchaser the contribution election form, as prescribed by the Department of Revenue, at the time of purchase of a motor vehicle or at the time of registration of a motor vehicle that was not purchased from a dealer.

2. Collect eligible contributions.

3. Using a form provided by the Department of Revenue, which shall include the dealer's or agent's federal employer



903516

identification number, remit to an organization on or before the 20th day of each month the total amount of contributions made to that organization and collected during the preceding calendar month.

4. Report on each return filed with the Department of Revenue the total amount of credits allowed under s. 212.1832 during the preceding calendar month.

(c) An organization shall report to the Department of Revenue, on or before the 20th day of each month, the total amount of contributions received pursuant to paragraph (b) in the preceding calendar month on a form provided by the Department of Revenue. Such report shall include the federal employer identification number of each tax collector, authorized agent of the Department of Revenue, or dealer who remitted contributions to the organization during that reporting period.

(d) A person who, with intent to unlawfully deprive or defraud the program of its moneys or the use or benefit thereof, fails to remit a contribution collected under this section is guilty of theft of charitable funds, punishable as follows:

1. If the total amount stolen is less than \$300, the offense is a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. Upon a second conviction, the offender is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. Upon a third or subsequent conviction, the offender is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. If the total amount stolen is \$300 or more, but less than \$20,000, the offense is a felony of the third degree,



903516

punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. If the total amount stolen is \$20,000 or more, but less than \$100,000, the offense is a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

4. If the total amount stolen is \$100,000 or more, the offense is a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(e) A person convicted of an offense under paragraph (d) shall be ordered by the sentencing judge to make restitution to the organization in the amount that was stolen from the program.

(14) LIABILITY.—The state is not liable for the award or any use of awarded funds under this section.

(15) SCOPE OF AUTHORITY.—This section does not expand the regulatory authority of this state, its officers, or any school district to impose additional regulation on participating private schools beyond those reasonably necessary to enforce requirements expressly set forth in this section.

(16) RULES.—The State Board of Education shall adopt rules to administer this section.

Section 16. Present subsection (7) of section 1002.421, Florida Statutes, is amended and redesignated as subsection (11), a new subsection (7) and subsections (8), (9), and (10) are added to that section, and subsection (1), paragraphs (h) and (i) of subsection (2), and subsections (4) and (5) of that section are amended, to read:

1002.421 Accountability of private schools participating in state school choice scholarship programs.—

(1)(a) A Florida private school participating in the Florida Tax Credit Scholarship Program established pursuant to



903516

s. 1002.395 or an educational scholarship program established pursuant to this chapter must comply with all requirements of this section in addition to private school requirements outlined in s. 1002.42, specific requirements identified within respective scholarship program laws, and other provisions of Florida law that apply to private schools.

(b) For purposes of this section, the term "owner or operator" includes an owner, operator, superintendent, or principal of an eligible private school or a person with equivalent decisionmaking authority over an eligible private school.

(2) A private school participating in a scholarship program must be a Florida private school as defined in s. 1002.01(2), must be registered in accordance with s. 1002.42, and must:

(h) Employ or contract with teachers who:

1. Unless otherwise specified under this paragraph, hold baccalaureate or higher degrees, have at least 3 years of teaching experience in public or private schools, or have objectively identified special skills, knowledge, or expertise that qualifies them to provide instruction in subjects taught.

2. Hold baccalaureate or higher degrees from a regionally or nationally accredited college or university in the United States or from a recognized college or university in another country. This subparagraph applies to full-time teachers hired after July 1, 2018, who are teaching students in grade 2 or above.

The private school must report to the department, in a format developed by the department, the qualifications of each teacher



903516

hired by the school, including, but not limited to, an
explanation of the objectively identified special skills or
expertise of such teachers, as applicable. Additionally, the
private school must provide to the parent of each scholarship
student, on the school's website or on a written form provided
by the school, the qualifications of each classroom teacher.

(i) Require each employee and contracted personnel with direct student contact, upon employment or engagement to provide services, to undergo a state and national background screening, pursuant to s. 943.0542, by electronically filing with the Department of Law Enforcement a complete set of fingerprints taken by an authorized law enforcement agency or an employee of the private school, a school district, or a private company who is trained to take fingerprints and deny employment to or terminate an employee if he or she fails to meet the screening standards under s. 435.04. Results of the screening shall be provided to the participating private school. For purposes of this paragraph:

1. An "employee or contracted personnel with direct student contact" means any employee or contracted personnel who has unsupervised access to a scholarship student for whom the private school is responsible.

2. The costs of fingerprinting and the background check shall not be borne by the state.

3. Continued employment of an employee or contracted personnel after notification that he or she has failed the background screening under this paragraph shall cause a private school to be ineligible for participation in a scholarship program.



903516

4. An employee or contracted personnel holding a valid Florida teaching certificate who has been fingerprinted pursuant to s. 1012.32 and who is not ineligible for employment pursuant to s. 1012.315 is not required to comply with the provisions of this paragraph.

(4) A private school that accepts scholarship students under this chapter ~~s. 1002.39 or s. 1002.395~~ must:

(a) Disqualify instructional personnel and school administrators, as defined in s. 1012.01, from employment in any position that requires direct contact with students if the personnel or administrators are ineligible for such employment under s. 1012.315.

(b) Adopt and faithfully implement policies establishing standards of ethical conduct for instructional personnel and school administrators. The policies must require all instructional personnel and school administrators, as defined in s. 1012.01, to complete training on the standards; establish the duty of instructional personnel and school administrators to report, and procedures for reporting, alleged misconduct by other instructional personnel and school administrators which affects the health, safety, or welfare of a student; and include an explanation of the liability protections provided under ss. 39.203 and 768.095. A private school, or any of its employees, may not enter into a confidentiality agreement regarding terminated or dismissed instructional personnel or school administrators, or personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide the instructional personnel or school



903516

administrators with employment references or discuss the personnel's or administrators' performance with prospective employers in another educational setting, without disclosing the personnel's or administrators' misconduct. Any part of an agreement or contract that has the purpose or effect of concealing misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student is void, is contrary to public policy, and may not be enforced.

(c) Before employing instructional personnel or school administrators in any position that requires direct contact with students, conduct employment history checks of each of the personnel's or administrators' previous employers, screen the personnel or administrators through use of the educator screening tools described in s. 1001.10(5), and document the findings. If unable to contact a previous employer, the private school must document efforts to contact the employer.

The department shall suspend the payment of funds under this chapter ~~ss. 1002.39 and 1002.395~~ to a private school that ~~knowingly~~ fails or refuses to comply with this subsection, and shall prohibit the school from enrolling new scholarship students, for 1 fiscal year and until the school complies.

(5) The failure or refusal ~~inability~~ of a private school to meet the requirements of this section shall constitute a basis for the ineligibility of the private school to participate in a scholarship program as determined by the department.

Additionally, a private school is ineligible to participate in a state scholarship program under this chapter if the owner or



903516

operator of the private school was a debtor in a voluntary or involuntary bankruptcy petition within the most recent 5 years.

(7) (a) The department must annually visit at least 5 percent, and may annually visit up to 7 percent, of the private schools that participate in the state scholarship programs under this chapter. Site visits required under subsection (8) are not included in the annual site visits authorized under this paragraph.

(b) The purposes of the site visits are to verify compliance with the provisions of this section aimed at protecting the health, safety, and welfare of students and to verify the information reported by the schools concerning the enrollment and attendance of students, the credentials of teachers, background screening of teachers, and teachers' fingerprinting results, as required by rules of the State Board of Education and this section.

(c) The department may make followup site visits at any time to any school that has received a notice of noncompliance or a notice of proposed action within the previous 2 years, or for a cause that affects the health, safety, and welfare of a student.

(8) (a) The department shall visit each private school that notifies the department of the school's intent to participate in a state scholarship program under this chapter.

(b) The purpose of the site visit is to determine that the school meets the applicable state and local health, safety, and welfare codes and rules pursuant to this section.

(9) The Division of State Fire Marshal shall annually provide to the department a fire safety inspection report,



903516

prepared by the local fire departments or by entities with whom they contract to perform fire safety inspections of private schools, for each private school that participates in a state scholarship program under this chapter.

(10) If a private school that participates in a state scholarship program under this chapter receives more than \$250,000 in funds from the scholarships awarded under this chapter in a state fiscal year, the school must provide to the department a report of the balance sheet and statement of income expenditures in accordance with generally accepted accounting procedures from an independent certified public accountant who performs the agreed-upon procedures.

(11) ~~(7)~~ The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 to administer and enforce this section.

Section 17. Section 1002.43, Florida Statutes, is repealed.

Section 18. Subsection (5) of section 1002.55, Florida Statutes, is amended to read:

1002.55 School-year prekindergarten program delivered by private prekindergarten providers.—

(5) (a) Notwithstanding paragraph (3) (b), a private prekindergarten provider may not participate in the Voluntary Prekindergarten Education Program if the provider has child disciplinary policies that do not prohibit children from being subjected to discipline that is severe, humiliating, frightening, or associated with food, rest, toileting, spanking, or any other form of physical punishment as provided in s. 402.305(12).

(b) Notwithstanding any other provision of law, if a



903516

private prekindergarten provider has been cited for a class I violation, as defined by rule, the coalition may refuse to contract with the provider.

Section 19. Subsection (13) of section 1003.01, Florida Statutes, is amended to read:

1003.01 Definitions.—As used in this chapter, the term:

(13) “Regular school attendance” means the actual attendance of a student during the school day as defined by law and rules of the State Board of Education. Regular attendance within the intent of s. 1003.21 may be achieved by a student’s full-time attendance in one of the following options:

(a) A public school supported by public funds, including, but not limited to, the Florida School for the Deaf and the Blind, the Florida Virtual School, a developmental research school, and a charter school established pursuant to chapter 1002.~~†~~

~~(b) A parochial, religious, or denominational school;~~

(b)(e) A private school, as defined in s. 1002.01(2) and in compliance with s. 1002.42, including, but not limited to, a private parochial, religious, or denominational school; and a private school supported in whole or in part by tuition charges or by endowments or gifts. This option includes an eligible private school in which a student attends as a participant in a scholarship program, as defined in s. 1002.01(3).~~†~~

(c)(d) A home education program, as defined in s. 1002.01(1), which ~~that~~ meets the requirements of chapter 1002.~~†~~
~~or~~

~~(e) A private tutoring program that meets the requirements of chapter 1002.~~



903516

Section 20. Paragraph (f) of subsection (1) of section 1003.26, Florida Statutes, is amended to read:

1003.26 Enforcement of school attendance.—The Legislature finds that poor academic performance is associated with nonattendance and that school districts must take an active role in promoting and enforcing attendance as a means of improving student performance. It is the policy of the state that each district school superintendent be responsible for enforcing school attendance of all students subject to the compulsory school age in the school district and supporting enforcement of school attendance by local law enforcement agencies. The responsibility includes recommending policies and procedures to the district school board that require public schools to respond in a timely manner to every unexcused absence, and every absence for which the reason is unknown, of students enrolled in the schools. District school board policies shall require the parent of a student to justify each absence of the student, and that justification will be evaluated based on adopted district school board policies that define excused and unexcused absences. The policies must provide that public schools track excused and unexcused absences and contact the home in the case of an unexcused absence from school, or an absence from school for which the reason is unknown, to prevent the development of patterns of nonattendance. The Legislature finds that early intervention in school attendance is the most effective way of producing good attendance habits that will lead to improved student learning and achievement. Each public school shall implement the following steps to promote and enforce regular school attendance:



903516

(1) CONTACT, REFER, AND ENFORCE.—

(f)1. If the parent of a child who has been identified as exhibiting a pattern of nonattendance enrolls the child in a home education program pursuant to chapter 1002, the district school superintendent shall provide the parent a copy of s. 1002.41 and the accountability requirements of this paragraph. The district school superintendent shall also refer the parent to a home education review committee composed of the district contact for home education programs and at least two home educators selected by the parent from a district list of all home educators who have conducted a home education program for at least 3 years and who have indicated a willingness to serve on the committee. The home education review committee shall review the portfolio of the student, as defined by s. 1002.41, every 30 days during the district's regular school terms until the committee is satisfied that the home education program is in compliance with s. 1002.41(1)(b). The first portfolio review must occur within the first 30 calendar days of the establishment of the program. The provisions of subparagraph 2. do not apply once the committee determines the home education program is in compliance with s. 1002.41(1)(b).

2. If the parent fails to provide a portfolio to the committee, the committee shall notify the district school superintendent. The district school superintendent shall then terminate the home education program and require the parent to enroll the child in an attendance option that meets the definition of "regular school attendance" under s. 1003.01(13)(a) or (b) ~~s. 1003.01(13)(a), (b), (c), or (e)~~, within 3 days. Upon termination of a home education program



903516

pursuant to this subparagraph, the parent shall not be eligible to reenroll the child in a home education program for 180 calendar days. Failure of a parent to enroll the child in an attendance option as required by this subparagraph after termination of the home education program pursuant to this subparagraph shall constitute noncompliance with the compulsory attendance requirements of s. 1003.21 and may result in criminal prosecution under s. 1003.27(2). Nothing contained herein shall restrict the ability of the district school superintendent, or the ability of his or her designee, to review the portfolio pursuant to s. 1002.41(1)(b).

Section 21. Paragraph (d) of subsection (2) of section 1003.41, Florida Statutes, is amended and paragraph (f) is added to that subsection, to read:

1003.41 Next Generation Sunshine State Standards.—

(2) Next Generation Sunshine State Standards must meet the following requirements:

(d) Social Studies standards must establish specific curricular content for, at a minimum, geography, United States and world history, government, civics, humanities, and economics, including financial literacy. Financial literacy includes the knowledge, understanding, skills, behaviors, attitudes, and values that will enable a student to make responsible and effective financial decisions on a daily basis. Financial literacy instruction shall be an integral part of instruction throughout the entire economics course and include information regarding earning income; buying goods and services; saving and financial investing; taxes; the use of credit and credit cards; budgeting and debt management, including student



903516

loans and secured loans; banking and financial services; planning for one's financial future, including higher education and career planning; credit reports and scores; and fraud and identity theft prevention. The requirements for financial literacy specified under this paragraph do not apply to students entering grade 9 in the 2018-2019 school year and thereafter.

(f) Effective for students entering grade 9 in the 2018-2019 school year and thereafter, financial literacy standards must establish specific curricular content for, at a minimum, personal financial literacy and money management. Financial literacy includes instruction in the areas specified in s. 1003.4282(3) (h) .

Section 22. Paragraphs (d) and (g) of subsection (3) of section 1003.4282, Florida Statutes, are amended, and paragraph (h) is added to that subsection, to read:

1003.4282 Requirements for a standard high school diploma.—

(3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT REQUIREMENTS.—

(d) *Three credits in social studies.*—A student must earn one credit in United States History; one credit in World History; one-half credit in economics, which must include financial literacy; and one-half credit in United States Government. The United States History EOC assessment constitutes 30 percent of the student's final course grade. However, for a student entering grade 9 in the 2018-2019 school year or thereafter, financial literacy is not a required component of the one-half credit in economics.

(g) ~~Eight~~ *Credits in Electives.*—School districts must develop and offer coordinated electives so that a student may



903516

develop knowledge and skills in his or her area of interest, such as electives with a STEM or liberal arts focus. Such electives must include opportunities for students to earn college credit, including industry-certified career education programs or series of career-themed courses that result in industry certification or articulate into the award of college credit, or career education courses for which there is a statewide or local articulation agreement and which lead to college credit. A student entering grade 9 before the 2018-2019 school year must earn eight credits in electives. A student entering grade 9 in the 2018-2019 school year or thereafter must earn seven and one-half credits in electives.

(h) One-half credit in personal financial literacy.-
Beginning with students entering grade 9 in the 2018-2019 school year, each student shall earn one-half credit in personal financial literacy and money management. This instruction must include discussion of or instruction in the following:

1. Types of bank accounts offered, opening and managing a bank account, and assessing the quality of a depository institution's services.

2. Balancing a checkbook.

3. Basic principles of money management, such as spending, credit, credit scores, and managing debt, including retail and credit card debt.

4. Completing a loan application.

5. Receiving an inheritance and related implications.

6. Basic principles of personal insurance policies.

7. Computing federal income taxes.

8. Local tax assessments.



903516

9. Computing interest rates by various mechanisms.

10. Simple contracts.

11. Contesting an incorrect billing statement.

12. Types of savings and investments.

13. State and federal laws concerning finance.

Section 23. Section 1003.457, Florida Statutes, is created to read:

1003.457 Instruction in cardiopulmonary resuscitation.—

(1) Each school district shall provide instruction in cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator. Students shall study and practice the psychomotor skills associated with performing CPR at least once before graduating from high school. The instruction shall be a part of the physical education curriculum or another required curriculum selected by the school district.

(2) The instruction shall be based on an instructional program established by:

(a) The American Heart Association;

(b) The American Red Cross; or

(c) Another nationally recognized program that uses the most current evidence-based emergency cardiovascular care guidelines.

(3) A student with a disability, as defined in s. 1007.02, is exempt from the requirements of this section.

Section 24. Subsection (3) of section 1003.453, Florida Statutes, is amended to read:

1003.453 School wellness and physical education policies; nutrition guidelines.—

(3) School districts are encouraged to provide basic



903516

training in first aid, ~~including cardiopulmonary resuscitation,~~
for all students, beginning in grade 6 and every 2 years
thereafter. Private and public partnerships for providing
training or necessary funding are encouraged.

Section 25. Section 1006.061, Florida Statutes, is amended
to read:

1006.061 Child abuse, abandonment, and neglect policy.—Each
district school board, charter school, and private school that
accepts scholarship students under s. 1002.385, s. 1002.39, or
s. 1002.395, or another state scholarship program under chapter
1002 shall:

(1) Post in a prominent place in each school a notice that,
pursuant to chapter 39, all employees and agents of the district
school board, charter school, or private school have an
affirmative duty to report all actual or suspected cases of
child abuse, abandonment, or neglect; have immunity from
liability if they report such cases in good faith; and have a
duty to comply with child protective investigations and all
other provisions of law relating to child abuse, abandonment,
and neglect. The notice shall also include the statewide toll-
free telephone number of the central abuse hotline.

(2) Post in a prominent place at each school site and on
each school's Internet website, if available, the policies and
procedures for reporting alleged misconduct by instructional
personnel or school administrators which affects the health,
safety, or welfare of a student; the contact person to whom the
report is made; and the penalties imposed on instructional
personnel or school administrators who fail to report suspected
or actual child abuse or alleged misconduct by other



903516

instructional personnel or school administrators.

(3) Require the principal of the charter school or private school, or the district school superintendent, or the superintendent's designee, at the request of the Department of Children and Families, to act as a liaison to the Department of Children and Families and the child protection team, as defined in s. 39.01, when in a case of suspected child abuse, abandonment, or neglect or an unlawful sexual offense involving a child the case is referred to such a team; except that this does not relieve or restrict the Department of Children and Families from discharging its duty and responsibility under the law to investigate and report every suspected or actual case of child abuse, abandonment, or neglect or unlawful sexual offense involving a child.

(4) (a) Post in a prominent place in a clearly visible location and public area of the school which is readily accessible to and widely used by students a sign in English and Spanish that contains:

1. The statewide toll-free telephone number of the central abuse hotline as provided in chapter 39;

2. Instructions to call 911 for emergencies; and

3. Directions for accessing the Department of Children and Families Internet website for more information on reporting abuse, neglect, and exploitation.

(b) The information in paragraph (a) must be put on at least one poster in each school, on a sheet that measures at least 11 inches by 17 inches, produced in large print, and placed at student eye level for easy viewing.



903516

The Department of Education shall develop, and publish on the department's Internet website, sample notices suitable for posting in accordance with subsections (1), (2), and (4).

Section 26. Subsections (4) and (6) of section 1006.07, Florida Statutes, are amended, and subsection (7) is added to that section, to read:

1006.07 District school board duties relating to student discipline and school safety.—The district school board shall provide for the proper accounting for all students, for the attendance and control of students at school, and for proper attention to health, safety, and other matters relating to the welfare of students, including:

(4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

(a) Formulate and prescribe policies and procedures for emergency drills and for actual emergencies, including, but not limited to, fires, natural disasters, hostage and active shooter situations, and bomb threats, for all the public schools of the district which comprise grades K-12. District school board policies shall include commonly used alarm system responses for specific types of emergencies and verification by each school that drills have been provided as required by law and fire protection codes. The emergency response agency that is responsible for notifying the school district for each type of emergency must be listed in the district's emergency response policy.

(b) Establish model emergency management and emergency preparedness procedures, including emergency notification procedures pursuant to paragraph (a), for the following life-threatening emergencies:



903516

1. Weapon-use, and hostage, and active shooter situations.
The active shooter situation training for each school must be
conducted by the law enforcement agency or agencies that are
designated as first responders to the school's campus.

2. Hazardous materials or toxic chemical spills.

3. Weather emergencies, including hurricanes, tornadoes,
and severe storms.

4. Exposure as a result of a manmade emergency.

(6) SAFETY AND SECURITY BEST PRACTICES.—Each school
district shall: Use the Safety and Security Best Practices
developed by the Office of Program Policy Analysis and
Government Accountability to

(a) Conduct security risk assessments at each public school
and conduct a self-assessment of the school districts' current
safety and security practices using a format prescribed by the
department. Based on these ~~self-assessment~~ findings, the
district school superintendent shall provide recommendations to
the district school board which identify strategies and
activities that the district school board should implement in
order to improve school safety and security. Annually each
district school board must receive such findings and the
superintendent's recommendations ~~the self-assessment results~~ at
a publicly noticed district school board meeting to provide the
public an opportunity to hear the district school board members
discuss and take action on the ~~report~~ findings and
recommendations. Each district school superintendent shall
report such findings ~~the self-assessment results~~ and school
board action to the commissioner within 30 days after the
district school board meeting.



903516

(b) Using a format prescribed by the department, develop a plan that includes having a secure, single point of entry onto school grounds.

(7) SAFETY IN CONSTRUCTION PLANNING.—A district school board or private school principal or governing board must allow the law enforcement agency or agencies that are designated as first responders to the school's or district's campus to tour such campus once every 3 years. Any changes related to school safety and emergency issues recommended by a law enforcement agency based on a campus tour must be documented by the district school board or private school principal or governing board.

Section 27. Subsection (1) and paragraph (b) of subsection (2) section 1006.12, Florida Statutes, are amended to read:

1006.12 School resource officers and school safety officers.—

(1) District school boards shall ~~may~~ establish school resource officer programs, through a cooperative agreement with law enforcement agencies or in accordance with subsection (2).

(a) School resource officers shall be certified law enforcement officers, as defined in s. 943.10(1), who are employed by a law enforcement agency as defined in s. 943.10(4). The powers and duties of a law enforcement officer shall continue throughout the employee's tenure as a school resource officer.

(b) School resource officers shall abide by district school board policies and shall consult with and coordinate activities through the school principal, but shall be responsible to the law enforcement agency in all matters relating to employment, subject to agreements between a district school board and a law



903516

enforcement agency. Activities conducted by the school resource officer which are part of the regular instructional program of the school shall be under the direction of the school principal.

(2)

(b) A district school board shall ~~may~~ commission one or more school safety officers for the protection and safety of school personnel, property, and students at each district school facility within the school district. The district school superintendent may recommend and the district school board may appoint one or more school safety officers.

Section 28. Section 1007.273, Florida Statutes, is amended to read:

1007.273 Structured high school acceleration programs
~~Collegiate high school program.~~

~~(1)~~ Each Florida College System institution shall work with each district school board in its designated service area to establish one or more structured programs, including, but not limited to, collegiate high school programs. As used in this section, the term "structured program" means a structured high school acceleration program.

(1)(2) PURPOSE.—At a minimum, structured ~~collegiate high school~~ programs must include an option for public school students in grade 11 or grade 12 participating in the structured program, for at least 1 full school year, to earn CAPE industry certifications pursuant to s. 1008.44, and to successfully complete at least 30 credit hours through the dual enrollment program under s. 1007.271. The structured program must prioritize dual enrollment courses that are applicable toward general education core courses or common prerequisite course



903516

requirements under s. 1007.25 over dual enrollment courses applicable as electives toward at least the first year of college for an associate degree or baccalaureate degree while enrolled in the structured program. A district school board may not limit the number of eligible public school students who may enroll in such structured programs.

(2)-(3) REQUIRED STRUCTURED PROGRAM CONTRACTS.-

(a) Each district school board and its local Florida College System institution shall execute a contract to establish one or more structured ~~collegiate high school~~ programs at a mutually agreed upon location or locations. ~~Beginning with the 2015-2016 school year,~~ If the local Florida College System institution does not establish a structured program with a district school board in its designated service area, another Florida College System institution may execute a contract with that district school board to establish the structured program. The contract must be executed by January 1 of each school year for implementation of the structured program during the next school year. By August 1, 2018, a contract entered into before January 1, 2018, for the 2018-2019 school year must be modified to include the provisions of paragraph (b).

(b) The contract must:

1.-(a) Identify the grade levels to be included in the structured ~~collegiate high school~~ program; ~~which must, at a minimum, include grade 12.~~

2.-(b) Describe the structured ~~collegiate high school~~ program, including a list of the meta-major academic pathways approved pursuant to s. 1008.30(4), which are available to participating students through the partner Florida College



903516

System institution or other eligible partner postsecondary institutions; the delineation of courses that must, at a minimum, include general education core courses and common prerequisite course requirements pursuant to s. 1007.25; and industry certifications offered, including online course availability; the high school and college credits earned for each postsecondary course completed and industry certification earned; student eligibility criteria; and the enrollment process and relevant deadlines;

3.~~(e)~~ Describe the methods, medium, and process by which students and their parents are annually informed about the availability of the structured ~~collegiate high school~~ program, the return on investment associated with participation in the structured program, and the information described in subparagraphs 1. and 2.; ~~paragraphs (a) and (b).~~

4.~~(d)~~ Identify the delivery methods for instruction and the instructors for all courses;

5.~~(e)~~ Identify student advising services and progress monitoring mechanisms;

6.~~(f)~~ Establish a program review and reporting mechanism regarding student performance outcomes; and

7.~~(g)~~ Describe the terms of funding arrangements to implement the structured ~~collegiate high school~~ program pursuant to paragraph (5) (a).

(3) STUDENT PERFORMANCE CONTRACT AND NOTIFICATION.-

(a)~~(4)~~ Each student participating in a structured ~~collegiate high school~~ program must enter into a student performance contract which must be signed by the student, the parent, and a representative of the school district and the



903516

applicable Florida College System institution, state university, or other institution participating pursuant to subsection (4) ~~(5)~~. The performance contract must, at a minimum, specify ~~include~~ the schedule of courses, by semester, and industry certifications to be taken by the student, if any; student attendance requirements; ~~and~~ course grade requirements; and the applicability of such courses to an associate degree or a baccalaureate degree.

(b) By September 1 of each school year, each district school board must notify each student enrolled in grades 9, 10, 11, and 12 in a public school within the school district about the structured program, including, but not limited to:

1. The method for earning college credit through participation in the structured program. The notification must include website links to the dual enrollment course equivalency list approved by the State Board of Education; the common degree program prerequisite requirements published by the Articulation Coordinating Committee pursuant to s. 1007.01(3)(f); the industry certification articulation agreements adopted by the State Board of Education in rule; and the approved meta-major academic pathways of the partner Florida College System institution and other eligible partner postsecondary institutions participating pursuant to subsection (4); and

2. The estimated cost savings to students and their families resulting from students successfully completing 30 credit hours applicable toward general education core courses or common prerequisite course requirements before graduating from high school versus the cost of earning such credit hours after graduating from high school.



903516

2274 (4) ~~(5)~~ AUTHORIZED STRUCTURED PROGRAM CONTRACTS.—In addition
2275 to executing a contract with the local Florida College System
2276 institution under this section, a district school board may
2277 execute a contract to establish a structured ~~collegiate high~~
2278 ~~school~~ program with a state university or an institution that is
2279 eligible to participate in the William L. Boyd, IV, Florida
2280 Resident Access Grant Program, that is a nonprofit independent
2281 college or university located and chartered in this state, and
2282 that is accredited by the Commission on Colleges of the Southern
2283 Association of Colleges and Schools to grant baccalaureate
2284 degrees. Such university or institution must meet the
2285 requirements specified under subsections (2) ~~(3)~~ and (3). A
2286 charter school may execute a contract directly with the local
2287 Florida College System institution or another institution as
2288 authorized under this section to establish a structured program
2289 at a mutually agreed upon location ~~(4)~~.

2290 (5) FUNDING.—

2291 (a) ~~(6)~~ The structured ~~collegiate high school~~ program shall
2292 be funded pursuant to ss. 1007.271 and 1011.62. The State Board
2293 of Education shall enforce compliance with this section by
2294 withholding the transfer of funds for the school districts ~~and~~
2295 ~~the Florida College System institutions~~ in accordance with s.
2296 1008.32. Annually, by December 31, the State Board of Education
2297 shall enforce compliance with this section by withholding the
2298 transfer of funds for the Florida College System institutions in
2299 accordance with s. 1008.32

2300 (b) A student who enrolls in the structured program and
2301 successfully completes at least 30 college credit hours during a
2302 school year through the dual enrollment program under s.



903516

1007.271 generates a 0.5 full-time equivalent (FTE) bonus. A student who enrolls in the structured program and successfully completes an additional 30 college credit hours during a school year, resulting in at least 60 college credit hours through the dual enrollment program under s. 1007.271 applicable toward fulfilling the requirements for an associate in arts degree or an associate in science degree or a baccalaureate degree pursuant to the student performance contract under subsection (3), before graduating from high school, generates an additional 0.5 FTE bonus. Each district school board that is a contractual partner with a Florida College System institution or other eligible postsecondary institution shall report to the commissioner the total FTE bonus for each structured program for the students from that school district. The total FTE bonus shall be added to each school district's total weighted FTE for funding in the subsequent fiscal year.

(c) For any industry certification a student attains under this section, the FTE bonus shall be calculated and awarded in accordance with s. 1011.62(1)(o).

(6) REPORTING REQUIREMENTS.—

(a) By September 1 of each school year, each district school superintendent shall report to the commissioner, at a minimum, the following information on each structured program administered during the prior school year:

1. The number of students in public schools within the school district who enrolled in the structured program, and the partnering postsecondary institutions pursuant to subsections (2) and (4);

2. The total and average number of dual enrollment courses



903516

completed, high school and college credits earned, standard high school diplomas and associate and baccalaureate degrees awarded, and the number of industry certifications attained, if any, by the students who enrolled in the structured program;

3. The projected student enrollment in the structured program during the next school year; and

4. Any barriers to executing contracts to establish one or more structured programs.

(b) By November 30 of each school year, the commissioner must report to the Governor, the President of the Senate, and the Speaker of the House of Representatives the status of structured programs, including, at a minimum, a summary of student enrollment and completion information pursuant to this subsection; barriers, if any, to establishing such programs; and recommendations for expanding access to such programs statewide.

Section 29. Paragraph (c) of subsection (3) and subsection (4) of section 1008.33, Florida Statutes, are amended to read:

1008.33 Authority to enforce public school improvement.—

(3)

(c) The state board shall adopt by rule a differentiated matrix of intervention and support strategies for assisting traditional public schools identified under this section and rules for implementing s. 1002.33(9)(n), relating to charter schools.

1. The intervention and support strategies must address efforts to improve student performance through one or more of the following strategies: ~~and may include~~

a. Improvement planning;

b. Leadership quality improvement;



903516

2361 c. Educator quality improvement;
2362 d. Professional development;
2363 e. Curriculum review, pacing, and alignment across grade
2364 levels to improve background knowledge in social studies,
2365 science, and the arts; and
2366 f. The use of continuous improvement and monitoring plans
2367 and processes.
2368 2. ~~In addition,~~ The state board may prescribe reporting
2369 requirements to review and monitor the progress of the schools.
2370 The rule must define the intervention and support strategies for
2371 school improvement for schools earning a grade of "D" or "F" and
2372 the roles for the district and department.
2373 (4) (a) The state board shall apply intensive intervention
2374 and support strategies tailored to the needs of schools earning
2375 two consecutive grades of "D" or a grade of "F." In the first
2376 full school year after a school initially earns two consecutive
2377 grades of "D" or a grade of "F," the school district must
2378 immediately implement intervention and support strategies
2379 prescribed in rule under paragraph (3) (c) and, by September 1,
2380 provide the department with the memorandum of understanding
2381 negotiated pursuant to s. 1001.42(21) and, by October 1, a
2382 district-managed turnaround plan for approval by the state
2383 board. The district-managed turnaround plan may include a
2384 proposal for the district to implement an extended school day, a
2385 summer program, or a combination of an extended school day and
2386 summer program. Upon approval by the state board, the school
2387 district must implement the plan for the remainder of the school
2388 year and continue the plan for 1 full school year. The state
2389 board may allow a school an additional year of implementation



903516

before the school must implement a turnaround option required under paragraph (b) if it determines that the school is likely to improve to a grade of "C" or higher after the first full school year of implementation.

(b) Unless an additional year of implementation is provided pursuant to paragraph (a), a school that has completed 2 school years of a district-managed turnaround plan required under paragraph (a) and has not improved its school grade to a "C" or higher, pursuant to s. 1008.34, earns three consecutive grades below a "C" must implement one of the following options:

1. Reassign students to another school and monitor the progress of each reassigned student.†

2. Close the school and reopen the school as one or more charter schools, each with a governing board that has a demonstrated record of effectiveness. Such charter schools are eligible for funding from the hope supplemental services allocation established by s. 1011.62(16).† or

3. Contract with an outside entity that has a demonstrated record of effectiveness to operate the school. An outside entity may include:

a. A district-managed charter school in which all instructional personnel are not employees of the school district, but are employees of an independent governing board composed of members who did not participate in the review or approval of the charter. A district-managed charter school is eligible for funding from the hope supplemental services allocation established by s. 1011.62(16); or

b. A hope operator that submits to a school district a notice of intent of a performance-based agreement pursuant to s.



903516

1002.333. A school of hope established pursuant to this sub-
subparagraph is eligible for funding from the hope supplemental
services allocation for up to 5 years, beginning in the school
year in which the school of hope is established, if the school
of hope:

(I) Is established at the district-owned facilities of the
persistently low-performing school;

(II) Gives priority enrollment to students who are enrolled
in, or are eligible to attend and are living in the attendance
area of, the persistently low-performing school that the school
of hope operates, consistent with the enrollment lottery
exemption provided under s. 1002.333(5)(c); and

(III) Meets the requirements of its performance-based
agreement pursuant to s. 1002.333.

4. Implement a franchise model school in which a highly
effective principal, pursuant to s. 1012.34, leads the
persistently low-performing school in addition to the
principal's currently assigned school. The franchise model
school principal may allocate resources and personnel between
the schools he or she leads. The persistently low-performing
school is eligible for funding from the hope supplemental
services allocation established under s. 1011.62(16).

(c) Implementation of the turnaround option is no longer
required if the school improves to a grade of "C" or higher.

(d) If a school ~~earning two consecutive grades of "D" or a~~
~~grade of "F"~~ does not improve to a grade of "C" or higher after
2 full school years of implementing the turnaround option
selected by the school district under paragraph (b), the school
district must implement another turnaround option.



903516

Implementation of the turnaround option must begin the school year following the implementation period of the existing turnaround option, unless the state board determines that the school is likely to improve to a grade of "C" or higher if additional time is provided to implement the existing turnaround option.

Section 30. Present subsections (16) and (17) of section 1011.62, Florida Statutes, are redesignated as subsections (19) and (20), respectively, new subsections (16) and (17) and subsection (18) are added to that section, and paragraph (a) of subsection (4) and subsection (14) of that section are amended, to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(a) *Estimated taxable value calculations.*—

1.a. Not later than 2 working days before July 19, the Department of Revenue shall certify to the Commissioner of Education its most recent estimate of the taxable value for



903516

school purposes in each school district and the total for all school districts in the state for the current calendar year based on the latest available data obtained from the local property appraisers. The value certified shall be the taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraphs (c) and (d), or an assessment roll change required by final judicial decisions as specified in paragraph (19) (b) ~~(16) (b)~~. Not later than July 19, the Commissioner of Education shall compute a millage rate, rounded to the next highest one one-thousandth of a mill, which, when applied to 96 percent of the estimated state total taxable value for school purposes, would generate the prescribed aggregate required local effort for that year for all districts. The Commissioner of Education shall certify to each district school board the millage rate, computed as prescribed in this subparagraph, as the minimum millage rate necessary to provide the district required local effort for that year.

b. The General Appropriations Act shall direct the computation of the statewide adjusted aggregate amount for required local effort for all school districts collectively from ad valorem taxes to ensure that no school district's revenue from required local effort millage will produce more than 90 percent of the district's total Florida Education Finance Program calculation as calculated and adopted by the Legislature, and the adjustment of the required local effort millage rate of each district that produces more than 90 percent of its total Florida Education Finance Program entitlement to a level that will produce only 90 percent of its total Florida



903516

Education Finance Program entitlement in the July calculation.

2. On the same date as the certification in sub-subparagraph 1.a., the Department of Revenue shall certify to the Commissioner of Education for each district:

a. Each year for which the property appraiser has certified the taxable value pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a.

b. For each year identified in sub-subparagraph a., the taxable value certified by the appraiser pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a. This is the certification that reflects all final administrative actions of the value adjustment board.

(14) QUALITY ASSURANCE GUARANTEE.—The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to each school district. The guarantee shall be calculated from prior year base funding per unweighted FTE student which shall include the adjusted FTE dollars as provided in subsection (19) ~~(16)~~, quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection (19) ~~(16)~~ and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts



903516

which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

(16) HOPE SUPPLEMENTAL SERVICES ALLOCATION.-The hope supplemental services allocation is created to provide district-managed turnaround schools, as required under s. 1008.33(4)(a), charter schools authorized under s. 1008.33(4)(b)2., district-managed charter schools authorized under s. 1008.33(4)(b)3.a., schools of hope authorized under s. 1008.33(4)(b)3.b., and franchise model schools as authorized under s. 1008.33(4)(b)4., with funds to offer services designed to improve the overall academic and community welfare of the schools' students and their families.

(a) Services funded by the allocation may include, but are not limited to, tutorial and after-school programs, student counseling, nutrition education, and parental counseling. In addition, services may also include models that develop a culture that encourages students to complete high school and to attend college or career training, set high academic expectations, inspire character development, and include an extended school day and school year.

(b) Prior to distribution of the allocation, a school district, for a district turnaround school and persistently low-performing schools that use a franchise model; a hope operator, for a school of hope; or the charter school governing board for



903516

a charter school, as applicable, shall develop and submit a plan for implementation to its respective governing body for approval no later than August 1 of the fiscal year.

(c) At a minimum, the plans required under paragraph (b) must:

1. Establish comprehensive support services that develop family and community partnerships;

2. Establish clearly defined and measurable high academic and character standards;

3. Increase parental involvement and engagement in the child's education;

4. Describe how instructional personnel will be identified, recruited, retained, and rewarded;

5. Provide professional development that focuses on academic rigor, direct instruction, and creating high academic and character standards; and

6. Provide focused instruction to improve student academic proficiency, which may include additional instruction time beyond the normal school day or school year.

(d) Each school district and hope operator shall submit approved plans to the commissioner by September 1 of each fiscal year.

(e) For the 2018-2019 fiscal year, a school that is selected to receive funding in the 2017-2018 fiscal year pursuant to s. 1002.333(10)(c) shall receive \$2,000 per FTE. A district-managed turnaround school required under s. 1008.33(4)(a), charter school authorized under s. 1008.33(4)(b)2., district-managed charter school authorized under s. 1008.33(4)(b)3.a., school of hope authorized under s.



903516

1008.33(4)(b)3.b., and franchise model school authorized under
s. 1008.33(4)(b)4. are eligible for the remaining funds based on
the school's unweighted FTE, up to \$2,000 per FTE or as provided
in the General Appropriations Act.

(f) For the 2019-2020 fiscal year and thereafter, each
school district's allocation shall be based on the unweighted
FTE student enrollment at the eligible schools and a per-FTE
funding amount of up to \$2,000 per FTE or as provided in the
General Appropriations Act. If the calculated funds for
unweighted FTE student enrollment at the eligible schools exceed
the per-FTE funds appropriated, the allocation of funds to each
school district must be prorated based on each school district's
share of the total unweighted FTE student enrollment for the
eligible schools.

(17) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental health
assistance allocation is created to provide supplemental funding
to assist school districts in establishing or expanding
comprehensive school-based mental health programs that increase
awareness of mental health issues among children and school-age
youth; train educators and other school staff in detecting and
responding to mental health issues; and connect children, youth,
and families who may experience behavioral health issues with
appropriate services. These funds may be allocated annually in
the General Appropriations Act to each eligible school district
and developmental research school based on each entity's
proportionate share of Florida Education Finance Program base
funding. The district funding allocation must include a minimum
amount as specified in the General Appropriations Act. Upon
submission and approval of a plan that includes the elements



903516

specified in paragraph (b), charter schools are also entitled to a proportionate share of district funding for this program. The allocated funds may not supplant funds that are provided for this purpose from other operating funds and may not be used to increase salaries or provide bonuses.

(a) Prior to the distribution of the allocation:

1. The district must annually develop and submit a detailed plan outlining the local program and planned expenditures to the district school board for approval.

2. A charter school must annually develop and submit a detailed plan outlining the local program and planned expenditures of the funds in the plan to its governing body for approval. After the plan is approved by the governing body, it must be provided to its school district for submission to the commissioner.

(b) The plans required under paragraph (a) must include, at a minimum, all of the following elements:

1. A collaborative effort or partnership between the school district and at least one local community program or agency involved in mental health to provide or to improve prevention, diagnosis, and treatment services for students;

2. Programs to assist students in dealing with bullying, trauma, and violence;

3. Strategies or programs to reduce the likelihood of at-risk students developing social, emotional, or behavioral health problems or substance use disorders;

4. Strategies to improve the early identification of social, emotional, or behavioral problems or substance use disorders and to improve the provision of early intervention



903516

services;

5. Strategies to enhance the availability of school-based crisis intervention services and appropriate referrals for students in need of mental health services; and

6. Training opportunities for school personnel in the techniques and supports needed to identify students who have trauma histories and who have or are at risk of having a mental illness, and in the use of referral mechanisms that effectively link such students to appropriate treatment and intervention services in the school and in the community.

(c) The districts shall submit approved plans to the commissioner by August 1 of each fiscal year.

(d) Beginning September 30, 2019, and by each September 30 thereafter, each entity that receives an allocation under this subsection shall submit to the commissioner, in a format prescribed by the department, a final report on its program outcomes and its expenditures for each element of the program.

(18) FUNDING COMPRESSION ALLOCATION.—The Legislature may provide an annual funding compression allocation in the General Appropriations Act. The allocation is created to provide additional funding to school districts and developmental research schools whose total funds per FTE in the prior year were less than the statewide average. Using the most recent prior year FEFP calculation for each eligible school district, the total funds per FTE shall be subtracted from the state average funds per FTE, not including any adjustments made pursuant to paragraph (19) (b). The resulting funds per FTE difference, or a portion thereof, as designated in the General Appropriations Act, shall then be multiplied by the school



903516

district's total unweighted FTE to provide the allocation. If
the calculated funds are greater than the amount included in the
General Appropriations Act, they must be prorated to the
appropriation amount based on each participating school
district's share.

Section 31. Subsection (5) of section 1011.69, Florida
Statutes, is amended to read:

1011.69 Equity in School-Level Funding Act.—

(5) After providing Title I, Part A, Basic funds to schools
above the 75 percent poverty threshold, which may include high
schools above the 50 percent threshold as allowed by federal
law, school districts shall provide any remaining Title I, Part
A, Basic funds directly to all eligible schools as provided in
this subsection. For purposes of this subsection, an eligible
school is a school that is eligible to receive Title I funds,
including a charter school. The threshold for identifying
eligible schools may not exceed the threshold established by a
school district for the 2016-2017 school year or the statewide
percentage of economically disadvantaged students, as determined
annually.

(a) Prior to the allocation of Title I funds to eligible
schools, a school district may withhold funds only as follows:

1. One percent for parent involvement, in addition to the
one percent the district must reserve under federal law for
allocations to eligible schools for parent involvement;

2. A necessary and reasonable amount for administration;
~~7~~

~~3. which includes~~ The district's approved indirect cost
rate, ~~not to exceed a total of 8 percent; and~~

~~4.3.~~ A reasonable and necessary amount to provide:



903516

2709 a. Homeless programs;
2710 b. Delinquent and neglected programs;
2711 c. Prekindergarten programs and activities;
2712 d. Private school equitable services; and
2713 e. Transportation for foster care children to their school
2714 of origin or choice programs; and-
2715 5. A necessary and reasonable amount for eligible schools
2716 to provide:
2717 a. Extended learning opportunities, such as summer school,
2718 before-school and after-school programs, and additional class
2719 periods of instruction during the school day; and
2720 b. Supplemental academic and enrichment services, staff
2721 development, and planning and curriculum, as well as wrap-around
2722 services.
2723 (b) All remaining Title I funds shall be distributed to all
2724 eligible schools in accordance with federal law and regulation.
2725 To maximize the efficient use of resources, school districts may
2726 allow eligible schools, not including charter schools, to ~~An~~
2727 ~~eligible school may~~ use funds under this subsection for
2728 ~~district-level to participate in discretionary~~ educational
2729 services provided by the school district.
2730 Section 32. Subsection (5) of section 1011.71, Florida
2731 Statutes, is amended to read:
2732 1011.71 District school tax.—
2733 (5) ~~Effective July 1, 2008,~~ A school district may expend,
2734 subject to ~~the provisions of~~ s. 200.065, up to \$150 ~~\$100~~ per
2735 unweighted full-time equivalent student from the revenue
2736 generated by the millage levy authorized by subsection (2) to
2737 fund, in addition to expenditures authorized in paragraphs



903516

(2)(a)-(j), expenses for the following:

(a) The purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.

(b) Payment of the cost of premiums, as defined in s. 627.403, for property and casualty insurance necessary to insure school district educational and ancillary plants. As used in this paragraph, casualty insurance has the same meaning as in s. 624.605(1)(d), (f), (g), (h), and (m). Operating revenues that are made available through the payment of property and casualty insurance premiums from revenues generated under this subsection may be expended only for nonrecurring operational expenditures of the school district.

Section 33. Section 1012.315, Florida Statutes, is amended to read:

1012.315 Disqualification from employment.—A person is ineligible for educator certification, and instructional personnel and school administrators, as defined in s. 1012.01, are ineligible for employment in any position that requires direct contact with students in a district school system, charter school, or private school that accepts scholarship students under s. 1002.385, s. 1002.39, ~~or~~ s. 1002.395, or another state scholarship program under chapter 1002, if the person, instructional personnel, or school administrator has been convicted of:

(1) Any felony offense prohibited under any of the following statutes:



903516

(a) Section 393.135, relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.

(b) Section 394.4593, relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.

(c) Section 415.111, relating to adult abuse, neglect, or exploitation of aged persons or disabled adults.

(d) Section 782.04, relating to murder.

(e) Section 782.07, relating to manslaughter, aggravated manslaughter of an elderly person or disabled adult, aggravated manslaughter of a child, or aggravated manslaughter of an officer, a firefighter, an emergency medical technician, or a paramedic.

(f) Section 784.021, relating to aggravated assault.

(g) Section 784.045, relating to aggravated battery.

(h) Section 784.075, relating to battery on a detention or commitment facility staff member or a juvenile probation officer.

(i) Section 787.01, relating to kidnapping.

(j) Section 787.02, relating to false imprisonment.

(k) Section 787.025, relating to luring or enticing a child.

(l) Section 787.04(2), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending custody proceedings.

(m) Section 787.04(3), relating to leading, taking, enticing, or removing a minor beyond the state limits, or



903516

concealing the location of a minor, with criminal intent pending dependency proceedings or proceedings concerning alleged abuse or neglect of a minor.

(n) Section 790.115(1), relating to exhibiting firearms or weapons at a school-sponsored event, on school property, or within 1,000 feet of a school.

(o) Section 790.115(2)(b), relating to possessing an electric weapon or device, destructive device, or other weapon at a school-sponsored event or on school property.

(p) Section 794.011, relating to sexual battery.

(q) Former s. 794.041, relating to sexual activity with or solicitation of a child by a person in familial or custodial authority.

(r) Section 794.05, relating to unlawful sexual activity with certain minors.

(s) Section 794.08, relating to female genital mutilation.

(t) Chapter 796, relating to prostitution.

(u) Chapter 800, relating to lewdness and indecent exposure.

(v) Section 806.01, relating to arson.

(w) Section 810.14, relating to voyeurism.

(x) Section 810.145, relating to video voyeurism.

(y) Section 812.014(6), relating to coordinating the commission of theft in excess of \$3,000.

(z) Section 812.0145, relating to theft from persons 65 years of age or older.

(aa) Section 812.019, relating to dealing in stolen property.

(bb) Section 812.13, relating to robbery.



903516

(cc) Section 812.131, relating to robbery by sudden snatching.

(dd) Section 812.133, relating to carjacking.

(ee) Section 812.135, relating to home-invasion robbery.

(ff) Section 817.563, relating to fraudulent sale of controlled substances.

(gg) Section 825.102, relating to abuse, aggravated abuse, or neglect of an elderly person or disabled adult.

(hh) Section 825.103, relating to exploitation of an elderly person or disabled adult.

(ii) Section 825.1025, relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled person.

(jj) Section 826.04, relating to incest.

(kk) Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child.

(ll) Section 827.04, relating to contributing to the delinquency or dependency of a child.

(mm) Section 827.071, relating to sexual performance by a child.

(nn) Section 843.01, relating to resisting arrest with violence.

(oo) Chapter 847, relating to obscenity.

(pp) Section 874.05, relating to causing, encouraging, soliciting, or recruiting another to join a criminal street gang.

(qq) Chapter 893, relating to drug abuse prevention and control, if the offense was a felony of the second degree or greater severity.



903516

(rr) Section 916.1075, relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.

(ss) Section 944.47, relating to introduction, removal, or possession of contraband at a correctional facility.

(tt) Section 985.701, relating to sexual misconduct in juvenile justice programs.

(uu) Section 985.711, relating to introduction, removal, or possession of contraband at a juvenile detention facility or commitment program.

(2) Any misdemeanor offense prohibited under any of the following statutes:

(a) Section 784.03, relating to battery, if the victim of the offense was a minor.

(b) Section 787.025, relating to luring or enticing a child.

(3) Any criminal act committed in another state or under federal law which, if committed in this state, constitutes an offense prohibited under any statute listed in subsection (1) or subsection (2).

(4) Any delinquent act committed in this state or any delinquent or criminal act committed in another state or under federal law which, if committed in this state, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under s. 943.0435(1)(h)1.d.

Section 34. Paragraphs (b) and (c) of subsection (3) of section 1012.731, Florida Statutes, are amended to read:

1012.731 The Florida Best and Brightest Teacher Scholarship Program.—



903516

(3)

(b)1. In order to demonstrate eligibility for an award, an eligible classroom teacher must submit to the school district, no later than November 1, an official record of his or her qualifying assessment score and, beginning with the 2020-2021 school year, an official transcript demonstrating that he or she graduated cum laude or higher with a baccalaureate degree, if applicable. Once a classroom teacher is deemed eligible by the school district, the teacher shall remain eligible as long as he or she remains employed by the school district as a classroom teacher at the time of the award and receives an annual performance evaluation rating of highly effective pursuant to s. 1012.34 or is evaluated as highly effective based on a commissioner-approved student learning growth formula pursuant to s. 1012.34(8) for the 2019-2020 school year or thereafter.

2. A school district employee who, in the prior school year, was rated highly effective and met the eligibility requirements under this section as a classroom teacher, is eligible to receive a scholarship award during the current school year if he or she maintains employment with the school district.

~~(c) Notwithstanding the requirements of this subsection, for the 2017-2018, 2018-2019, and 2019-2020 school years, any classroom teacher who:~~

~~1. Was evaluated as highly effective pursuant to s. 1012.34 in the school year immediately preceding the year in which the scholarship will be awarded shall receive a scholarship of \$1200, including a classroom teacher who received an award pursuant to paragraph (a).~~



903516

~~2. Was evaluated as effective pursuant to s. 1012.34 in the school year immediately preceding the year in which the scholarship will be awarded a scholarship of up to \$800. If the number of eligible classroom teachers under this subparagraph exceeds the total allocation, the department shall prorate the per-teacher scholarship amount.~~

~~This paragraph expires July 1, 2020.~~

Section 35. Subsections (2), (3), and (4) of section 1012.732, Florida Statutes, are amended to read:

1012.732 The Florida Best and Brightest Principal Scholarship Program.—

(2) There is created the Florida Best and Brightest Principal Scholarship Program to be administered by the Department of Education. The program shall provide categorical funding for scholarships to be awarded to school principals, as defined in s. 1012.01(3)(c)1., who are serving as a franchise model school principal or who have recruited and retained a high percentage of best and brightest teachers.

(3)(a) A school principal identified pursuant to s. 1012.731(4)(c) is eligible to receive a scholarship under this section if he or she has served as school principal at his or her school for at least 2 consecutive school years including the current school year and his or her school has a ratio of best and brightest teachers to other classroom teachers that is at the 80th percentile or higher for schools within the same grade group, statewide, including elementary schools, middle schools, high schools, and schools with a combination of grade levels.

(b) A principal of a franchise model school, as defined in



903516

s. 1002.334, is eligible to receive a scholarship under this section.

(4) Annually, by February 1, the department shall identify eligible school principals and disburse funds to each school district for each eligible school principal to receive a scholarship.

(a) A scholarship of \$10,000 ~~\$5,000~~ must be awarded to each franchise model school principal who is ~~every~~ eligible under paragraph (3)(b).

(b) A scholarship of \$5,000 must be awarded to each school principal assigned to a Title I school and a scholarship of \$4,000 to each ~~every~~ eligible school principal who is not assigned to a Title I school and who is eligible under paragraph (3)(a).

Section 36. Paragraph (e) of subsection (1) of section 1012.796, Florida Statutes, is amended to read:

1012.796 Complaints against teachers and administrators; procedure; penalties.—

(1)

(e) If allegations arise against an employee who is certified under s. 1012.56 and employed in an educator-certificated position in any public school, charter school or governing board thereof, or private school that accepts scholarship students under s. 1002.385, s. 1002.39, ~~or~~ s. 1002.395, or another state scholarship program under chapter 1002, the school shall file in writing with the department a legally sufficient complaint within 30 days after the date on which the subject matter of the complaint came to the attention of the school. A complaint is legally sufficient if it contains



903516

ultimate facts that show a violation has occurred as provided in s. 1012.795 and defined by rule of the State Board of Education. The school shall include all known information relating to the complaint with the filing of the complaint. This paragraph does not limit or restrict the power and duty of the department to investigate complaints, regardless of the school's untimely filing, or failure to file, complaints and followup reports.

Section 37. Present paragraphs (a) through (d) of subsection (1) of section 1013.31, Florida Statutes, are redesignated as paragraphs (b) through (e), respectively, and a new paragraph (a) is added to that subsection, to read:

1013.31 Educational plant survey; localized need assessment; PECO project funding.—

(1) At least every 5 years, each board shall arrange for an educational plant survey, to aid in formulating plans for housing the educational program and student population, faculty, administrators, staff, and auxiliary and ancillary services of the district or campus, including consideration of the local comprehensive plan. The Department of Education shall document the need for additional career and adult education programs and the continuation of existing programs before facility construction or renovation related to career or adult education may be included in the educational plant survey of a school district or Florida College System institution that delivers career or adult education programs. Information used by the Department of Education to establish facility needs must include, but need not be limited to, labor market data, needs analysis, and information submitted by the school district or Florida College System institution.



903516

(a) Educational plant survey and localized need assessment for capital outlay purposes.—A district may only use funds from the following sources for educational, auxiliary, and ancillary plant capital outlay purposes without needing a survey recommendation:

1. The local capital outlay improvement fund, consisting of funds that come from and are a part of the district's basic operating budget;

2. If a board decides to build an educational, auxiliary, or ancillary facility without a survey recommendation and the taxpayers approve a bond referendum, the voted bond referendum;

3. One-half cent sales surtax revenue;

4. One cent local governmental surtax revenue;

5. Impact fees; and

6. Private gifts or donations.

Section 38. Paragraph (e) is added to subsection (2) of section 1013.385, Florida Statutes, to read:

1013.385 School district construction flexibility.—

(2) A resolution adopted under this section may propose implementation of exceptions to requirements of the uniform statewide building code for the planning and construction of public educational and ancillary plants adopted pursuant to ss. 553.73 and 1013.37 relating to:

(e) Any other provisions that limit the ability of a school to operate in a facility on the same basis as a charter school pursuant to s. 1002.33(18) if the regional planning council determines that there is sufficient shelter capacity within the school district as documented in the Statewide Emergency Shelter Plan.



903516

Section 39. Subsection (3) of section 1013.62, Florida Statutes, is amended, and paragraph (c) is added to subsection (1) of that section, to read:

1013.62 Charter schools capital outlay funding.—

(1) Charter school capital outlay funding shall consist of revenue resulting from the discretionary millage authorized in s. 1011.71(2) and state funds when such funds are appropriated in the General Appropriations Act.

(c) It is the intent of the Legislature that the public interest be protected by prohibiting personal financial enrichment by owners, operators, managers, real estate developers, and other affiliated parties of charter schools. Therefore, a charter school is not eligible for a funding allocation unless the chair of the governing board and the chief administrative officer of the charter school annually certify under oath that the funds will be used solely and exclusively for constructing, renovating, or improving charter school facilities that are:

1. Owned by a school district, a political subdivision of the state, a municipality, a Florida College System institution, or a state university;

2. Owned by an organization that is qualified as an exempt organization under s. 501(c)(3) of the Internal Revenue Code whose articles of incorporation specify that, upon the organization's dissolution, the subject property will be transferred to a school district, a political subdivision of the state, a municipality, a Florida College System institution, or a state university; or

3. Owned by and leased, at a fair market value in the



903516

school district in which the charter school is located, from a person or entity that is not an affiliated party of the charter school. For the purposes of this subparagraph, the term "affiliated party of the charter school" means the applicant for the charter school pursuant to s. 1002.33; the governing board of the charter school or a member of the governing board; the charter school owner; the charter school principal; an employee of the charter school; an independent contractor of the charter school or the governing board of the charter school; a relative, as defined in s. 1002.33(24)(a)2., of a charter school governing board member, a charter school owner, a charter school principal, a charter school employee, or an independent contractor of a charter school or charter school governing board; a subsidiary corporation, a service corporation, an affiliated corporation, a parent corporation, a limited liability company, a limited partnership, a trust, a partnership, or a related party that, individually or through one or more entities, shares common ownership or control and directly or indirectly manages, administers, controls, or oversees the operation of the charter school; or any person or entity, individually or through one or more entities that share common ownership, which directly or indirectly manages, administers, controls, or oversees the operation of any of the foregoing.

(3) If the school board levies the discretionary millage authorized in s. 1011.71(2), the department shall use the following calculation methodology to determine the amount of revenue that a school district must distribute to each eligible charter school:



903516

(a) Reduce the total discretionary millage revenue by the school district's annual debt service obligation incurred as of March 1, 2017, and any amount of participation requirement pursuant to s. 1013.64(2)(a)8. that is being satisfied by revenues raised by the discretionary millage.

(b) Divide the school district's adjusted discretionary millage revenue by the district's total capital outlay full-time equivalent membership and the total number of unweighted full-time equivalent students of each eligible charter school to determine a capital outlay allocation per full-time equivalent student.

(c) Multiply the capital outlay allocation per full-time equivalent student by the total number of full-time equivalent students for all of each eligible charter schools within the district school to determine the total charter school capital outlay allocation for each district charter school.

(d) If applicable, reduce the capital outlay allocation identified in paragraph (c) by the total amount of state funds allocated pursuant to subsection (2) to all each eligible charter schools within a district school in subsection (2) to determine the net total maximum calculated capital outlay allocation from local funds. If state funds are not allocated pursuant to subsection (2), the amount determined in paragraph (c) is equal to the net total calculated capital outlay allocation from local funds for each district.

(e) For each charter school within each district, the net capital outlay amount from local funds shall be calculated in the same manner as the state funds in paragraphs (2)(a)-(d), except that the base charter school per weighted FTE allocation



903516

amount shall be determined by dividing the net total capital outlay amount from local funds by the total weighted FTE for all eligible charter schools within the district. The per weighted FTE allocation amount from local funds shall be multiplied by the weighted FTE for each charter school to determine each charter school's capital outlay allocation from local funds.

(f)~~(e)~~ School districts shall distribute capital outlay funds to charter schools no later than February 1 of each year, ~~beginning on February 1, 2018, for the 2017-2018 fiscal year.~~

Section 40. Effective July 1, 2019, subsection (13) of section 212.08, Florida Statutes, is amended to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(13) No transactions shall be exempt from the tax imposed by this chapter except those expressly exempted herein. All laws granting tax exemptions, to the extent they may be inconsistent or in conflict with this chapter, including, but not limited to, the following designated laws, shall yield to and be superseded by the provisions of this subsection: ss. 125.019, 153.76, 154.2331, 159.15, 159.31, 159.50, 159.708, 163.385, 163.395, 215.76, 243.33, 315.11, 348.65, 348.762, 349.13, 403.1834, and 616.07, ~~and 623.09~~, and the following Laws of Florida, acts of the year indicated: s. 31, chapter 30843, 1955; s. 19, chapter 30845, 1955; s. 12, chapter 30927, 1955; s. 8, chapter 31179, 1955; s. 15, chapter 31263, 1955; s. 13, chapter 31343, 1955; s.



903516

16, chapter 59-1653; s. 13, chapter 59-1356; s. 12, chapter 61-2261; s. 19, chapter 61-2754; s. 10, chapter 61-2686; s. 11, chapter 63-1643; s. 11, chapter 65-1274; s. 16, chapter 67-1446; and s. 10, chapter 67-1681. This subsection does not supersede the authority of a local government to adopt financial and local government incentives pursuant to s. 163.2517.

Section 41. For the 2018-2019 fiscal year, the sum of \$2,596,560 in recurring funds from the General Revenue Fund and the sum of \$392,134 in nonrecurring funds from the General Revenue Fund are appropriated to the Department of Education to implement this act as follows: the sum of \$2 million in recurring funds shall be used to implement the Hope Scholarship Program created pursuant to s. 1002.40, Florida Statutes, the sum of \$596,560 in recurring funds and \$142,134 in nonrecurring funds shall be used to implement the additional oversight requirements pursuant to s. 1002.421, Florida Statutes, and the sum of \$250,000 in nonrecurring funds shall be used to issue a competitive grant award pursuant to s. 1002.395(9), Florida Statutes.

Section 42. The Department of Revenue may, and all conditions are deemed met to, adopt emergency rules pursuant to ss. 120.536(1) and 120.54, Florida Statutes, to administer this act.

Section 43. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2018

===== T I T L E A M E N D M E N T =====
And the title is amended as follows:

Delete everything before the enacting clause



903516

and insert:

A bill to be entitled

An act relating to education; creating s. 212.1832, F.S.; authorizing certain persons to receive a tax credit for certain contributions to eligible nonprofit scholarship-funding organizations for the Hope Scholarship Program; providing requirements for motor vehicle dealers; requiring the Department of Revenue to disregard certain tax credits for specified purposes; providing that specified provisions apply to certain provisions; amending s. 213.053, F.S.; authorizing the Department of Revenue to share specified information with eligible nonprofit scholarship-funding organizations; providing that certain requirements apply to such organizations; repealing ch. 623, F.S., relating to private school corporations, on a specified date; amending s. 1001.10, F.S.; revising the private schools to which the Department of Education is required to provide technical assistance and authorized staff; amending s. 1001.4205, F.S.; authorizing a member of the State Legislature to visit any district school, including any charter school, in his or her legislative district; amending s. 1002.01, F.S.; revising and defining terms; amending s. 1002.20; updating educational options and terminology; amending s. 1002.33, F.S.; extending the period of time for which a charter school may defer its opening for specified reasons; amending s. 1002.331, F.S.; revising the



903516

3202 requirements for a charter school to be considered a
3203 high-performing charter school; amending s. 1002.333,
3204 F.S.; redefining the terms "persistently low-
3205 performing school" and "school of hope"; revising the
3206 required contents of a school of hope notice of intent
3207 and performance-based agreement; revising school of
3208 hope facility requirements; specifying that certain
3209 schools of hope are eligible to receive hope
3210 supplemental service allocation funds; requiring the
3211 State Board of Education to provide awards to all
3212 eligible schools that meet certain requirements;
3213 prohibiting a school of hope operator or owner from
3214 serving as the principal of a school of hope that he
3215 or she manages; conforming cross-references; creating
3216 s. 1002.334, F.S.; defining the term "franchise model
3217 school"; authorizing specified schools to use a
3218 franchise model school as a turnaround option;
3219 specifying requirements for a franchise model school
3220 principal; amending s. 1002.385, F.S.; revising the
3221 meaning of a rare disease within the definition of a
3222 "disability" for purposes of the Gardiner Scholarship
3223 Program; revising requirements for private schools
3224 that participate in the program; specifying that the
3225 failure or refusal, rather than the inability of, a
3226 private school to meet certain requirements
3227 constitutes a basis for program ineligibility;
3228 conforming cross-references; amending s. 1002.39,
3229 F.S.; revising the purpose of department site visits
3230 at private schools participating in the John M. McKay



903516

3231 Scholarships for Students with Disabilities Program;
3232 authorizing the department to make followup site
3233 visits at any time to certain private schools;
3234 requiring participating private schools to provide a
3235 specified report from an independent certified public
3236 accountant under certain circumstances; specifying
3237 that the failure or refusal, rather than the inability
3238 of, a private school to meet certain requirements
3239 constitutes a basis for program ineligibility;
3240 conforming provisions to changes made by the act;
3241 amending s. 1002.395, F.S.; revising obligations of
3242 eligible nonprofit scholarship-funding organizations
3243 participating in the Florida Tax Credit Scholarship
3244 Program; specifying that the failure or refusal,
3245 rather than the inability of, a private school to meet
3246 certain requirements constitutes a basis for program
3247 ineligibility; revising the purpose of department site
3248 visits at private schools participating in the Florida
3249 Tax Credit Scholarship Program; authorizing the
3250 department to make followup site visits at any time to
3251 certain private schools; conforming provisions to
3252 changes made by the act; creating s. 1002.40, F.S.;
3253 establishing the Hope Scholarship Program; providing
3254 the purpose of the program; defining terms; providing
3255 eligibility requirements; prohibiting the payment of a
3256 scholarship under certain circumstances; requiring a
3257 principal to provide copies of a report of physical
3258 violence or emotional abuse to certain individuals
3259 within specified timeframes; requiring the principal



903516

3260 to investigate such incidents; requiring a school
3261 district to notify an eligible student's parent of the
3262 program under certain circumstances; requiring a
3263 school district to provide certain information
3264 relating to the statewide assessment program;
3265 providing requirements and obligations for eligible
3266 private schools; providing Department of Education
3267 obligations relating to participating students and
3268 private schools and program requirements; providing
3269 Commissioner of Education obligations; requiring the
3270 commissioner to deny, suspend, or revoke a private
3271 school's participation in the program or the payment
3272 of scholarship funds under certain circumstances;
3273 defining the term "owner or operator"; providing a
3274 process for review of a decision from the commissioner
3275 under certain circumstances; providing for the release
3276 of personally identifiable student information under
3277 certain circumstances; providing parent and student
3278 responsibilities for initial and continued
3279 participation in the program; providing nonprofit
3280 scholarship-funding organization obligations;
3281 providing for the calculation of the scholarship
3282 amount; providing the scholarship amount for students
3283 transferred to certain public schools; requiring
3284 verification of specified information before a
3285 scholarship may be disbursed; providing requirements
3286 for the scholarship payments; providing funds for
3287 administrative expenses for certain nonprofit
3288 scholarship-funding organizations; providing



903516

3289 requirements for administrative expenses; prohibiting
3290 a nonprofit scholarship-funding organization from
3291 charging an application fee; providing Auditor General
3292 obligations; providing requirements for taxpayer
3293 elections to contribute to the program; requiring the
3294 Department of Revenue to adopt forms to administer the
3295 program; providing requirements for certain agents of
3296 the Department of Revenue and motor vehicle dealers;
3297 providing reporting requirements for nonprofit
3298 scholarship-funding organizations relating to taxpayer
3299 contributions; providing penalties; providing for the
3300 restitution of specified funds under certain
3301 circumstances; providing the state is not liable for
3302 the award or use of program funds; prohibiting
3303 additional regulations for private schools
3304 participating in the program beyond those necessary to
3305 enforce program requirements; requiring the State
3306 Board of Education to adopt rules to administer the
3307 program; amending s. 1002.421, F.S.; defining the term
3308 "owner or operator"; requiring a private school to
3309 employ or contract with teachers who meet certain
3310 qualifications and provide information about such
3311 qualifications to the department and parents; revising
3312 the conditions under which a private school employee
3313 may be exempted from background screening
3314 requirements; specifying that a private school is
3315 ineligible to participate in certain scholarship
3316 programs under certain circumstances; requiring the
3317 department to annually visit a certain percentage of



903516

3318 certain private schools; authorizing the department to
3319 make certain followup site visits at any time;
3320 requiring the Division of State Fire Marshal to
3321 annually provide the department with fire safety
3322 inspection reports for certain private schools;
3323 requiring that certain private schools provide the
3324 department with a report from an independent certified
3325 public accountant under certain circumstances;
3326 repealing s. 1002.43, F.S., relating to private
3327 tutoring programs; amending s. 1002.55, F.S.;
3328 authorizing an early learning coalition to refuse to
3329 contract with certain private prekindergarten
3330 providers; amending s. 1003.01, F.S.; redefining the
3331 term "regular school attendance"; amending s. 1003.26,
3332 F.S.; conforming a cross-reference; amending s.
3333 1003.41, F.S.; revising the requirements for the Next
3334 Generation Sunshine State Standards to include
3335 financial literacy; amending s. 1003.4282, F.S.;
3336 revising the required credits for a standard high
3337 school diploma to include one-half credit of
3338 instruction in personal financial literacy and money
3339 management and seven and one-half, rather than eight,
3340 credits in electives; creating s. 1003.457, F.S.;
3341 requiring school districts to provide instruction in
3342 cardiopulmonary resuscitation (CPR) and the use of an
3343 automated external defibrillator; requiring students
3344 to study and practice psychomotor skills associated
3345 with CPR at least once before graduating from high
3346 school; requiring the instruction to be a part of a



903516

3347 required curriculum; providing instruction to be based
3348 on certain programs; providing an exemption; amending
3349 s. 1003.453, F.S.; conforming provisions to changes
3350 made by the act; amending s. 1006.061, F.S.; revising
3351 the applicability of certain child abuse, abandonment,
3352 and neglect provisions; amending s. 1006.07, F.S.;
3353 requiring district school boards to formulate and
3354 prescribe policies and procedures for active shooter
3355 situations; requiring that active shooter situation
3356 training for each school be conducted by the law
3357 enforcement agency or agencies that are designated as
3358 first responders to the school's campus; requiring
3359 each school district to conduct certain assessments in
3360 a specified format; requiring a district school
3361 superintendent to provide specified agencies with
3362 certain findings and certain strategy and activity
3363 recommendations to improve school safety and security;
3364 requiring that district school boards and private
3365 school principals or governing boards allow campus
3366 tours by such law enforcement agency or agencies at
3367 specified times and for specified purposes; requiring
3368 that certain recommendations be documented by such
3369 board or principal; amending s. 1006.12, F.S.;
3370 requiring, rather than authorizing, district school
3371 boards to establish certain school resource officer
3372 programs; requiring a district school board to
3373 commission one or more school safety officers at each
3374 district school facility within the district; amending
3375 s. 1007.273, F.S.; defining the term "structured



903516

3376 program"; providing additional options for students
3377 participating in a structured program; prohibiting a
3378 district school board from limiting the number of
3379 public school students who may participate in a
3380 structured program; revising contract requirements;
3381 requiring each district school board to annually
3382 notify students in certain grades of certain
3383 information about the structured program, by a
3384 specified date; revising provisions relating to
3385 funding; requiring the state board to enforce
3386 compliance with certain provisions by a specified date
3387 each year; providing reporting requirements; amending
3388 s. 1008.33, F.S.; revising the turnaround options
3389 available for certain schools; amending s. 1011.62,
3390 F.S.; creating the hope supplemental services
3391 allocation; providing the purpose of the allocation;
3392 specifying the services that may be funded by the
3393 allocation; providing that implementation plans may
3394 include certain models; providing requirements for
3395 implementation plans; providing for the allocation of
3396 funds in specified fiscal years; creating the mental
3397 health assistance allocation; providing the purpose of
3398 the allocation; providing for the annual allocation of
3399 such funds on a specified basis; prohibiting the use
3400 of allocated funds to supplant funds provided from
3401 other operating funds, to increase salaries, or to
3402 provide bonuses; providing requirements for school
3403 districts and charter schools; providing that required
3404 plans must include certain elements; requiring school



903516

3405 districts to annually submit approved plans to the
3406 Commissioner of Education by a specified date;
3407 requiring that entities that receive such allocations
3408 annually submit a final report on program outcomes and
3409 specific expenditures to the commissioner by a
3410 specified date; creating the funding compression
3411 allocation; providing the purpose of the allocation;
3412 authorizing funding for the annual allocation;
3413 providing the calculation for the allocation; amending
3414 s. 1011.69, F.S.; authorizing certain high schools to
3415 receive Title I funds; providing that a school
3416 district may withhold Title I funds for specified
3417 purposes; authorizing certain schools to use Title I
3418 funds for specified purposes; amending s. 1011.71,
3419 F.S.; increasing the amount that a school district may
3420 expend from a specified millage levy for certain
3421 expenses; amending s. 1012.315, F.S.; revising the
3422 applicability of certain provisions related to
3423 disqualification from employment for the conviction of
3424 specified offenses; amending s. 1012.731, F.S.;
3425 extending eligibility for the Florida Best and
3426 Brightest Teacher Scholarship Program to school
3427 district employees who, in the immediately preceding
3428 school year, were classroom teachers and met
3429 eligibility requirements; deleting scholarship awards
3430 authorized for specific school years; amending s.
3431 1012.732, F.S.; specifying that a franchise model
3432 school principal is eligible to receive a Florida Best
3433 and Brightest Principal scholarship; requiring



903516

3434 specified awards for eligible principals; amending s.
3435 1012.796, F.S.; revising the applicability of a
3436 requirement that certain private schools file
3437 specified reports with the department for certain
3438 allegations against its employees; amending s.
3439 1013.31, F.S.; authorizing a district to use certain
3440 sources of funds for educational, auxiliary, and
3441 ancillary plant capital outlay purposes without
3442 needing a survey recommendation; amending s. 1013.385,
3443 F.S.; providing additional exceptions to certain
3444 building code regulations for school districts;
3445 amending s. 1013.62, F.S.; providing legislative
3446 intent; prohibiting a charter school from being
3447 eligible for capital outlay funds unless the chair of
3448 the governing board and the chief administrative
3449 officer of the charter school annually certify certain
3450 information; defining the term "affiliated party of
3451 the charter school"; revising the Department of
3452 Education's calculation methodology for a school
3453 district's distribution of discretionary millage to
3454 its eligible charter schools; amending s. 212.08,
3455 F.S.; conforming a cross-reference; providing
3456 appropriations; providing appropriations; authorizing
3457 the Department of Revenue to adopt emergency rules for
3458 specified purposes; providing effective dates.

THE FLORIDA SENATE
APPEARANCE RECORD

2.20.18

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

HB 7055

Bill Number (if applicable)

682492

Amendment Barcode (if applicable)

Topic Education

Name STEPHANIE OWENS

Job Title LEGISLATIVE ADVOCATE

Address _____
Street

Phone 727.639.1243

City

State

Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing LEAGUE OF WOMEN VOTERS OF FL

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

2/20/18
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

HB 7055
Bill Number (if applicable)
232740
Amendment Barcode (if applicable)

Topic Education

Name Dr. Danielle Thomas

Job Title Resolutions Chair

Address 1747 Orlando Central Pkwy
Street
Orlando FL 32809
City State Zip

Phone 407 855 7604

Email resolutions@floridapta.org

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida PTA

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/20/18
Meeting Date

7055
Bill Number (if applicable)

291336
Amendment Barcode (if applicable)

Topic Education

Name Dr. Danielle Thomas

Job Title Resolutions Chair

Address 1747 Orlando Central Pkwy
Street
Orlando FL 32809
City State Zip

Phone 407 855 7604

Email resolutions@floridapta.org

Speaking: ☐ For ☐ Against ☒ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing Florida PTA

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/20/2018

Meeting Date

7055

Bill Number (if applicable)

206492

Amendment Barcode (if applicable)

Topic EducationName Eileen FernándezJob Title Associate General CounselAddress 445 W. Amelia St.

Street

Orlando FL 32801

City

State

Zip

Phone 407-317-3200Email Eileen.Fernandez@ocps.netSpeaking: ☐ For ☐ Against ☐ InformationWaive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)Representing Orange County Public SchoolsAppearing at request of Chair: ☐ Yes ☒ NoLobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

2/20/18
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

7055
Bill Number (if applicable)
206492
Amendment Barcode (if applicable)

Topic Education

Name Dr. Danielle Thomas

Job Title Resolutions Chair

Address 1747 Orlando Central Pkwy
Orlando FL 32809
City State Zip

Phone 407 855 7604

Email resolutions@floridapta.org

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida PTA

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

2.20.18

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

HB 7055

Bill Number (if applicable)

206492

Amendment Barcode (if applicable)

Topic Education

Name Stephanie Owens

Job Title Legislative Advocate

Address _____
Street

Phone 727.639.1243

City

State

Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing LEAGUE of Women Voters FL

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

2/20/18
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

7055
Bill Number (if applicable)
675602
Amendment Barcode (if applicable)

Topic Education

Name Dr. Danielle Thomas

Job Title Resolutions Chair

Address 1747 Orlando Central Parkway
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Orlando FL 32809
City State Zip

Phone 407 855 7604

Email resolutions@floridapt.org

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida PTA

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2.20.18

Meeting Date

HB 7055

Bill Number (if applicable)

675602

Amendment Barcode (if applicable)

Topic Educ Enhancement

Name STEPHANIE OWENS

Job Title LEGISLATIVE ADVOCATE

Address _____
Street

Phone 727.639.1243

City

State

Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing LEAGUE OF WOMEN VOTERS FL

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/20/18

Meeting Date

7055

Bill Number (if applicable)

913420

Amendment Barcode (if applicable)

Topic Education

Name Rich Templin

Job Title _____

Address 135 S. Monroe
Street

Phone 850-224-6926

Tallahassee FL 32304
City State Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
 (The Chair will read this information into the record.)

Representing Florida AFL-CIO

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/20/18

Meeting Date

HB 7055

Bill Number (if applicable)

AA 913420

Amendment Barcode (if applicable)

Topic _____

Name Amy Collins

Job Title Self employed

Address 3308 Sunnybrook Ave N

Street

Jacksonville

City

FL

State

32208

Zip

Phone (904) 419-3369

Email afc357@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
 (The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

20/2/18

Meeting Date

HB 7855

Bill Number (if applicable)

AA913420

Amendment Barcode (if applicable)

Topic _____

Name Jeffrey RiveraJob Title CashierAddress Tampa 33615

Street

Phone 938-257-5275Email Jeffrey123-SS@hotmail.com

City

State

Zip

Speaking: ☐ For ☒ Against ☐ InformationWaive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing

~~Myself~~ SelfAppearing at request of Chair: ☐ Yes ☐ NoLobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/20/18
 Meeting Date

7055
 Bill Number (if applicable)
913420
 Amendment Barcode (if applicable)

Topic Education

Name Chris Emmanuel

Job Title Policy Director

Address 136 S. Bronough St.

Street

Tallahassee

City

FL

State

32301

Zip

Phone (850) 521-1200

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
 (The Chair will read this information into the record.)

Representing Florida Chamber of Commerce

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

5/19/18
Meeting Date

7055
Bill Number (if applicable)

913420
Amendment Barcode (if applicable)

Topic ☐

Name Caitlin Dexter

Job Title Student

Address 2636 W Mission Rd

Street

Tallahassee
City

FL
State

32304
Zip

Phone 321 3051 004

Email caitdexter@gmail.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/19/18

Meeting Date

7055

Bill Number (if applicable)

A13420

Amendment Barcode (if applicable)

Topic _____

Name Gen Sanchez

Job Title Student

Address 2636 W Mission Rd

Street

Tallahassee

City

State

Zip

Phone _____

Email _____

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2.20.18
Meeting Date

HB 7055
Bill Number (if applicable)

913420
Amendment Barcode (if applicable)

Topic HOPE SCHOLARSHIP, ETC. / HOUSE Education Bill

Name WILLIAM MATTOX

Job Title DIRECTOR, EDUCATION POLICY

Address 100 N. DUVAL ST.

Street

TALLAHASSEE

City

FL

State

32303

Zip

Phone 850.386.3131

Email bmattox@jamesmadison.org

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing JAMES MADISON INSTITUTE

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-20-18

Meeting Date

7055

Bill Number (if applicable)

913420-8266-96

Amendment Barcode (if applicable)

Topic _____

Name Akash Chougule

Job Title Director of Policy

Address 200 W College Ave. Suite 109

Street

Phone _____

Tallahassee

City

FL

State

32301

Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Americans for Prosperity

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

2/20/14

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

7056

Bill Number (if applicable)

913420

Amendment Barcode (if applicable)

Topic Amendment to strike decertificationName Kevin WatsonJob Title Director, Public Policy - Florida Education Assoc.Address 213 S. Adam StPhone 850-224-2078

Street

Tallahassee FL 32301

City

State

Zip

Email Kevin.Watson@floridaea.orgSpeaking: ☒ For ☐ Against ☐ InformationWaive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)Representing Florida Education AssociationAppearing at request of Chair: ☐ Yes ☒ NoLobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/20/18

Meeting Date

HB 7055

Bill Number (if applicable)

AA 913420

Amendment Barcode (if applicable)

Topic _____

Name Blake Shatzer

Job Title _____

Address 1073 Lake Forest Blvd

Street

Jacksonville

City

Florida

State

32208

Zip

Phone _____

Email _____

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date _____

7055
Bill Number (if applicable)

913420
Amendment Barcode (if applicable)

Topic Education

Name LINDA EDSON

Job Title Retired Educator

Address 1841 Myrick Rd

Street

Tallahassee FL 32303

City

State

Zip

Phone 850-510-2729

Email edsonl@netfla.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/20/2018
 Meeting Date

HB7055
 Bill Number (if applicable)

AA913420
 Amendment Barcode (if applicable)

Topic _____

Name Carlos Garcia

Job Title N/A

Address _____

Phone 813-443-8326

Street Riverview State FL Zip 33578
 City

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
 (The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

02/20/18
 Meeting Date

7055
 Bill Number (if applicable)

AA913420
 Amendment Barcode (if applicable)

Topic _____

Name Gabriel Sanchez

Job Title _____

Address Florida 33843
 Street

Phone 913-391-4013

City

State

Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
 (The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

02/20/18
 Meeting Date

7055
 Bill Number (if applicable)

AA913420
 Amendment Barcode (if applicable)

Topic _____

Name VICTOR GUERMAN

Job Title _____

Address _____

Phone (805) 843-5309

Street

Frostproof

City

FL

State

33843

Zip

Email _____

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
 (The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-20-18

Meeting Date

HB 7055

Bill Number (if applicable)

AA 913420

Amendment Barcode (if applicable)

Topic _____

Name Rolando BooneJob Title RetiredAddress 12641 Brown Jersey

Street

JAX FL 32226

City

State

Zip

Phone 904 613-9058

Email _____

Speaking: ☐ For ☒ Against ☐ InformationWaive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)Representing SelfAppearing at request of Chair: ☐ Yes ☐ NoLobbyist registered with Legislature: ☐ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

2.20.18
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

HB 7055
Bill Number (if applicable)

Topic HOPE SCHOLARSHIP
EDUCATION from HOUSE (HB 7055)

Amendment Barcode (if applicable)

Name WILLIAM MATTOX

Job Title DIRECTOR, EDUCATION POLICY

Address 100 N. DUVAL ST.
Street

Phone 850.386.3131

TALLAHASSEE FL 32303
City State Zip

Email bmattox@jamesmadison.org

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing JAMES MADISON INSTITUTE

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-20-18

Meeting Date

7550

Bill Number (if applicable)

913420

Amendment Barcode (if applicable)

Topic teacher decertification

Name Anna Fisco

Job Title BTU President

Address 6000 N UNIV DR
Street

Phone _____

City

Tamara

State

Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Broward Teachers

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/20/18
Meeting Date

7055
Bill Number (if applicable)

913420
Amendment Barcode (if applicable)

Topic RE CERTIFICATION

Name GAIL MARIE PERRY

Job Title CHAIR, COMMUNICATIONS WORKERS OF FLA.

Address PO Box 1766
Street

Phone 954 850 4055
@HOTMAIL

POMPANO BEACH, FLA 33061
City State Zip

Email WORKINGFOLK.COM

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing COUNCIL of FLORIDA

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2.20.18

Meeting Date

HB 7055

Bill Number (if applicable)

114228

Amendment Barcode (if applicable)

Topic Education enhancements

Name STEPHANIE OWENS

Job Title LEGISLATIVE ADVOCATE

Address _____
Street

Phone 727 639 1243

City

State

Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing League of Women Voters FL

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/20/18

Meeting Date

HB 7055

Bill Number (if applicable)

826696

Amendment Barcode (if applicable)

Topic Financial Literacy Amendment

Name Patrick Curran

Job Title Teacher

Address 12638 Stockwood Lane
Street

Phone 904-563-6381

Jacksonville
City

FL
State

32225
Zip

Email indiana1982@att.net

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Council on Economic Education

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

2-20-18

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

HB 7055

Bill Number (if applicable)

826696

Amendment Barcode (if applicable)

Topic EducationName Wendy DodgeJob Title Dir of Leg AffairsAddress PO BOX 391Street BARTON FL 33831

City State Zip

Phone 813-838-3632Email wendy.dodge@polk-fl.netSpeaking: ☐ For ☒ Against ☐ InformationWaive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)Representing POLK County SchoolsAppearing at request of Chair: ☐ Yes ☒ NoLobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-20-18
Meeting DateHB 7055
Bill Number (if applicable)Topic Education - Mental Health Allocation 826696
Amendment Barcode (if applicable)Name John SullivanJob Title Legislative LiaisonAddress 600 SE 3rd AvePhone 754-321-2608St Landersdale FL 33301
City State ZipEmail john.j.sullivan@broward
Schools.netSpeaking: ☐ For ☐ Against ☒ InformationWaive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)Representing Broward County SchoolsAppearing at request of Chair: ☐ Yes ☒ NoLobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-20-2018
Meeting Date

HB 7055
Bill Number (if applicable)

826696
Amendment Barcode (if applicable)

Topic Required course on financial literacy & money management
Name Courtney Allen

Job Title student

Address 3501 castlebar circle
Street

Phone 850 545 8379

Tallahassee FL 32309
City State Zip

Email Courtneyallen850@gmail.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/20/18
Meeting Date

7055
~~848558~~
Bill Number (if applicable)
848558
Amendment Barcode (if applicable)

Topic Education

Name Catherine Boer

Job Title _____

Address 1421 Woodgate Way
Street
Tallahassee FL 32308
City State Zip

Phone ~~850-575-XXXX~~

Email flybaer@gmail.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing The Tea Party Network/Common Ground

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/20/18
Meeting Date

HB 7055
Bill Number (if applicable)

848558
Amendment Barcode (if applicable)

Topic Education

Name LINDA EDSON

Job Title Retired Teacher

Address 1841 Myrick Rd
Street

Phone 850-510-2729

Tallahassee FL 32303
City State Zip

Email edsonl@netally.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Retired Educators Association

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2.20.18

Meeting Date

CS/HB 7055

Bill Number (if applicable)

826696

Amendment Barcode (if applicable)

Topic Strike all

Name STEPHANIE OWENS

Job Title LEGISLATIVE ADVOCATE

Address _____
Street

Phone 727 639 1243

Email LWVFADVOCACY@gmail.com

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing LEAGUE OF WOMEN VOTERS FL

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-20-18
Meeting Date

7053
Bill Number (if applicable)

Topic Education

826696
Amendment Barcode (if applicable)

Name Theresa King

Job Title President

Address PO Box 10888
Street

Phone 850-228-8940

1 Allahasse
City

FL
State

32301
Zip

Email fbt.tking@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Building and Construction Trades

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/20/18

Meeting Date

HB 7055

Bill Number (if applicable)

826696

Amendment Barcode (if applicable)

Topic Education

Name BRENDA DICKINSON

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Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing Florida Council of Independent Schools

Appearing at request of Chair: ☐ Yes ☐ No Lobbyist registered with Legislature: ☐ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/20/18
Meeting Date7055
Bill Number (if applicable)Topic Financial Literacy portion of ~~the bill~~ amendment826696
Amendment Barcode (if applicable)

Name Anthony DiMarco

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Email ~~di.marco@floridabankers.com~~Speaking: ☐ For ☐ Against ☐ InformationWaive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Bankers Association

Appearing at request of Chair: ☐ Yes ☒ NoLobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

02/20/2018

Meeting Date

HB7055

Bill Number (if applicable)

826696

Amendment Barcode (if applicable)

Topic Education - Teacher's Unions

Name Anna Fusco

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Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Broward County Teachers Union

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

2.20.18

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

7055

Bill Number (if applicable)

Topic

Education

826696

Amendment Barcode (if applicable)

Name

JARED ROSS

Job Title

SVP, Governmental Affairs

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jared.ross@lscu.coop

Speaking:



For



Against



Information

Waive Speaking:



In Support



Against

(The Chair will read this information into the record.)

Representing

Florida Credit Union Association

Appearing at request of Chair:



Yes



No

Lobbyist registered with Legislature:



Yes



No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Feb 20, 2018
Meeting DateCS/HR 7055
Bill Number (if applicable)Topic Scholarship Program Accountability8216696
Amendment Barcode (if applicable)Name Robyn RennickJob Title Volunteer Board MemberAddress 5246 Centerville Rd
StreetPhone 850 893 2216Tallahassee FL 32309
City State ZipEmail drills@talstar.comSpeaking: ☐ For ☒ Against ☐ InformationWaive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)Representing The Coalition of McKay Scholarship SchoolsAppearing at request of Chair: ☐ Yes ☐ NoLobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/20/14

Meeting Date

HB 7055

Bill Number (if applicable)

926696

Amendment Barcode (if applicable)

Topic HB 7055

Name Mark Anderson

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Tallahassee FL 32301
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Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
 (The Chair will read this information into the record.)

Representing Florida Council on Economic Education

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

2/20/2018

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

7055

Bill Number (if applicable)

826096

Amendment Barcode (if applicable)

Topic EDUCATIONName RALPH ARZOO

Job Title _____

Address _____
Street

Phone _____

City

State

Zip

Email _____

Speaking: ☒ For ☐ Against ☐ InformationWaive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)Representing FLORIDA CINDERELLA SCHOOL ALLIANCEAppearing at request of Chair: ☐ Yes ☒ NoLobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

SA

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-20-18
Meeting Date

7055
Bill Number (if applicable)

Topic Education

848558
Amendment Barcode (if applicable)

Name Stephanie Kunkel

Job Title Legislative Specialist

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Tallahassee FL 32301
City State Zip

Email _____

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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S-001 (10/14/14)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: CS/SB 1804

INTRODUCER: Education Committee and Senator Stargel

SUBJECT: School District Accountability

DATE: February 21, 2018

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Olenick, Bouck	Graf	ED	Fav/CS
2.			AP	
3.			RC	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1804 increases fiscal accountability and expands fiscal transparency requirements for district school boards. Specifically, the bill:

- Increases fiscal accountability requirements by:
 - Adding to the Auditor General's (AG's) duties, the requirement for the AG to contact each district school board with findings and recommendations contained within the AG's previous operational audit report; and specifies compliance requirements for the district school boards.
 - Requiring the Department of Education's (DOE's) Inspector General to investigate allegations and reports of possible fraud or abuse against a district school board made by specified entities.
 - Requiring school districts receiving annual federal, state, and local funds in excess of over \$500 million to employ an internal auditor.
- Expands fiscal transparency by:
 - Requiring district school boards to provide a full explanation of any budget amendments at the boards' next scheduled public meeting.
 - Modifying the information that each district school board must post on its website to add graphical representations, for each public school within the district and for the school district, of financial efficiency data and 3-year fiscal trend information.
 - Specifying additional information that each school district must report to the DOE including the total operating costs and expenditures for classroom instruction.

- Requiring the DOE to calculate specified expenditure information for each public school, school district, and the state; and develop a web-based fiscal transparency tool that identifies public schools and districts that produce high academic achievement based on the ratio of classroom instruction expenditures to total expenditures.
- Requiring the DOE to contract with an independent third party to conduct an investigation of all accounts and records for specified purposes.
- Requiring the withholding of each district school board member's and district school superintendent's salaries, with some exceptions, if any of the financial conditions specified in law exist, until such conditions are corrected.
- Requires prior approval by the district school board for reimbursement of out-of-district travel expenses that exceed \$500, and requires a detailed itemized list of all anticipated travel expenses for any travel outside the state.

Additionally, the bill applies the restriction on lobbying for 2 years after vacating office to appointed school district superintendents, which currently applies to locally elected school district officers; and prohibits a district superintendent from appointing or employing a relative to work under his or her direct supervision.

The bill appropriates \$850,000 in nonrecurring funds from the General Revenue Fund to the DOE to implement this act.

The bill takes effect July 1, 2018.

II. Present Situation:

The present situation for the relevant portions of the bill is discussed in the Effect of Proposed Changes section of this bill analysis.

III. Effect of Proposed Changes:

Florida law specifies audit and oversight requirements for district school boards.

Fiscal Accountability

Auditor General

Present Situation

The Auditor General (AG) or a Certificated Public Accountant (CPA) is required to perform annual financial audits of district school boards.¹ If the AG does not perform a financial audit of a district school board, the school board must have a financial audit completed within nine months of its fiscal year end by an independent CPA.² The scope of financial audits includes an examination of the financial statements, the issuance of a report on compliance and internal

¹ State of Florida Auditor General, *Summary of Significant Findings and Financial Trends Identified in District School Board Audit Reports for the Fiscal Year Ended June 30, 2016*, (June, 2016), at 1, available at https://flauditor.gov/pages/pdf_files/2018-030.pdf. Section 11.45(2), F.S. and s. 218.39(1), F.S.

² Section 218.39(1), F.S.

control in accordance with generally accepted government auditing standards, and the issuance of a report on compliance and internal control for each major Federal program.³

The AG also conducts operational audits of district school boards in accordance with Government Auditing Standards at least every 3 years.⁴ Operational audits must include an evaluation of management's performance in establishing and maintaining internal controls, including controls designed to prevent and detect fraud, waste, and abuse, and in administering assigned responsibilities.⁵

The AG is required to report material weaknesses in internal control and significant control deficiencies that are disclosed during the course of a financial audit.⁶ A material weakness is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the financial statements would not be prevented or detected and corrected on a timely basis.⁷ A significant deficiency is a deficiency, or a combination of deficiencies in internal control that is less severe than a material weakness, yet important enough to merit attention.⁸ The AG must report material noncompliance or abuse that has a material effect on a financial statement audit.⁹

The AG must annually compile and transmit a summary of significant findings and financial trends to the Senate President, the Speaker of the House of Representatives, and the Legislative Auditing Committee (LAC).¹⁰ If an audit contains any significant findings, district school boards must conduct an audit overview during a public meeting.¹¹

The AG has authority to perform follow-up procedures necessary to determine a district school board's progress in addressing the findings and recommendations in the previous audit report.¹² The AG must also notify the LAC of any financial or operational audit report which indicates that a district school board failed to take full corrective action in response to a finding included in the two preceding financial or operational audits.¹³

Upon notification, the LAC may direct a school board to provide a written statement explaining the reason the school board failed to take corrective action or, if the school board intends to take full corrective action, describing the corrective action and state when it will occur.¹⁴ If the LAC determines that the written statement is not sufficient, it may require the chair of the school

³ State of Florida Auditor General, *Summary of Significant Findings and Financial Trends Identified in District School Board Audit Reports for the Fiscal Year Ended June 30, 2016*, (June 2016), at 1, available at https://flauditor.gov/pages/pdf_files/2018-030.pdf. Section 11.45(1)(c), F.S.

⁴ *Id.* Section 11.45(2)(f), F.S.

⁵ *Id.* at (1)(g).

⁶ *Id.*

⁷ State of Florida Auditor General, *Summary of Significant Findings and Financial Trends Identified in District School Board Audit Reports for the Fiscal Year Ended June 30, 2016*, at 2, available at https://flauditor.gov/pages/pdf_files/2018-030.pdf.

⁸ *Id.*

⁹ *Id.*

¹⁰ Section 11.45(7)(f), F.S. *See also* s. 11.40, F.S.

¹¹ Section 1010.30(2), F.S.

¹² Section 11.45(2)(j), F.S.

¹³ *Id.* at (7)(j)1.

¹⁴ *Id.*

board to appear before the committee.¹⁵ If the LAC determines that the school board has failed to take full corrective action for which there is no justifiable reason or has failed to comply with committee requests, the committee must refer the matter to the State Board of Education (state board) to proceed in accordance with its oversight enforcement authority.¹⁶

On February 2, 2014, the LAC conducted a workshop on Financial Oversight for District School Boards.¹⁷ As part of its presentation, the AG's office recommended that operational audits include testing for previous operational audit findings with questionable costs.¹⁸

Effect of Proposed Changes

The bill adds to the AG's duties, the requirement for the AG to contact each district school board with findings and recommendations contained within the AG's previous operational audit report.

Additionally, the bill:

- Requires the district school board to provide the Auditor General with evidence of the initiation of corrective action within 45 days after the date it is requested by the AG and evidence of completion of corrective action within 180 days after the date it is requested by the AG.
- Specifies that if the district school board fails to comply with the AG's request or is unable to take corrective action within the required timeframe, the AG must notify the LAC.

The bill also modifies the requirement for district school boards, the Florida College System institution board of trustees, and the university board of trustees to conduct an audit overview during a public meeting to provide that such audit overview must be conducted by the specified entities if an audit contains a finding classified as a significant deficiency or material weakness, rather than a significant finding. The bill requires the audit overview to describe the corrective action to be taken and a timeline for the completion of such action.

Accordingly, the bill may assist with the identification of significant deficiencies and material weaknesses, which may facilitate appropriate corrective action to remedy the identified deficiencies by the district school boards, and enhance the school districts' internal controls.

Inspector General

Present Situation

Each state agency is required to have an Inspector General (IG),¹⁹ including the DOE, to provide a central point for the coordination of activities that promote accountability, integrity, and efficiency in government.²⁰ The Office of the Chief Inspector General (CIG) is within the

¹⁵ *Id* at (7)(j)2.

¹⁶ Sections 11.45(7)(j)3, and 1008.32, F.S.

¹⁷ Joint Legislative Auditing Committee, *Meeting Packet*, (Feb. 10, 2014), at 1, available at <http://www.leg.state.fl.us/Data/Committees/Joint/JCLA/Meetingpackets/021014.pdf>.

¹⁸ *Id.* at 111 of 159.

¹⁹ Section 20.055(2), F.S.

²⁰ *Id.*

Executive Office of the Governor.²¹ The CIG monitors the activities of the agency inspectors general under the Governor's jurisdiction.²²

The DOE's IG is responsible for promoting accountability, efficiency, and effectiveness and detecting fraud and abuse within school districts.²³ If the commissioner determines that the district school board is unwilling or unable to address substantiated allegations made by any person relating to waste, fraud, or financial mismanagement, the office must conduct, coordinate, or request investigations into such substantiated allegations.²⁴

Effect of Proposed Changes

The bill requires the DOE's IG to investigate allegations and reports of possible fraud or abuse against a district school board made by:

- Any member of the Cabinet;
- Any presiding officer of the Senate or the House;
- A chair of a substantive or appropriations committee with appropriate jurisdiction; or
- A member of the board for which investigation is sought.

Internal Auditor

Present Situation

Currently, district school boards may employ an internal auditor to perform ongoing financial verification of the financial records of the school district.²⁵ The internal auditor must report directly to the district school board or its designee.²⁶

Bay, Brevard, Broward, Clay, Duval, Escambia, Hillsborough, Lake, Lee, Leon, Marion, Martin, Miami Dade, Orange, Palm Beach, Pasco, Pinellas, and Polk district school boards employ internal auditors.²⁷

On February 2, 2014, as part of its presentation to the LAC, the AG's office recommended that school districts of a specified size employ internal auditors to periodically report on the effectiveness of budgetary control procedures.²⁸

Effect of Proposed Changes

The bill requires school districts receiving annual federal, state, and local funds in excess of over \$500 million to employ an internal auditor. The bill specifies that the duties of the internal auditor must include oversight of every functional and program area of the school system.

²¹ Section 14.32(1), F.S.

²² *Id.*

²³ Section 1001.20(4)(e), F.S.

²⁴ Section 1001.20(4)(e), F.S.

²⁵ Section 1001.42(12)(l), F.S.

²⁶ *Id.*

²⁷ Phone Interview with the Florida Office of Auditor General staff (Feb. 19, 2018).

²⁸ Joint Legislative Auditing Committee, *Meeting Packet, February 10, 2014 (Feb. 2014)*, at 110 and 114, available at <http://www.leg.state.fl.us/Data/Committees/Joint/JCLA/Meetingpackets/021014.pdf>.

Additionally, the bill requires the internal auditor to perform a comprehensive risk assessment of all areas of the school system every 5 years, and conduct other audits and reviews as the district school board directs to determine:

- The adequacy of internal controls designed to prevent and detect fraud, waste, and abuse.
- Compliance with applicable laws, rules, contracts, grant agreements, district school board-approved policies, and best practices.
- The efficiency of operations.
- The reliability of financial records and reports.
- The safeguarding of assets.
- Financial solvency.
- Projected revenues and expenditures.
- The rate of change in the general fund balance.

The bill also requires the internal auditor to prepare audit reports of his or her findings and establishes penalties for a failure to produce financial records to the internal auditor.²⁹

Cost Accounting and Reporting

Present Situation

Each school district must account for expenditures of all state, local, and federal funds on a school-by-school and a district-aggregate basis in accordance with the manual developed by the DOE or as provided by law.³⁰ Each district must report on a district-aggregate basis expenditures for inservice training and categorical programs; and on a school-by school basis and aggregate district basis for each program funded by the state for the operation of schools.³¹ Additionally, the commissioner must present to the Legislature a district-by-district report of the expenditures reported.³²

Each district must expend at least the percent of the funds generated by each of the programs listed on the aggregate total school costs for such programs:³³

- Ninety percent for kindergarten and grades 1, 2, and 3.
- Eighty percent for grades 4, 5, 6, 7, and 8.
- Eighty percent for grades 9, 10, 11, and 12.
- Ninety percent for programs for exceptional students, on an aggregate program basis.
- Eighty percent for grades 7 through 12 career education programs, on an aggregate program basis.
- Eighty percent for students-at-risk programs, on an aggregate program basis.
- Ninety-percent for juvenile justice programs, on an aggregate program basis.

²⁹ Section 11.47(3), F.S. Any person who willfully fails or refuses to furnish or produce any book, record, paper, document, data, or sufficient information necessary to a proper audit or examination which the Auditor General or the Office of Program Policy Analysis and Government Accountability is by law authorized to perform is guilty of a misdemeanor of the first degree. Section 11.47(4), F.S.

³⁰ Section 1010.20(1), F.S.

³¹ *Id* at (2)(a)-(b).

³² *Id.* at (2)(c), F.S.

³³ Section 1010.20(1)-(3), F.S.

Effect of Proposed Changes

The bill modifies the expenditure reporting requirements for the school districts to specify that such expenditures must be reported to the DOE. The bill also specifies additional information that each school district must report to the DOE including the total operating costs and expenditures for classroom instruction.

The bill requires the DOE to:

- Categorize all public schools and districts into appropriate groups based primarily on average full-time equivalent (FTE) student enrollment as reported on the most recent student membership survey and in the state board rule to determine groups of peer schools and districts.
- Annually calculate for each public school, district, and for the entire state, the percentage of classroom expenditures to total operating cost expenditures.
- Annually calculate for all public schools, districts, and the state, the average percentage of classroom expenditures to total operating cost and expenditures.
- Develop a web-based fiscal transparency tool that identifies public schools and districts that produce high academic achievement based on the ratio of classroom instruction expenditures to total expenditures. The fiscal transparency tool must combine this data with the student performance measurements to determine the financial efficiency of each public school and district. The results must be displayed in an easy-to-use format that enables the user to compare performance among public schools and districts.

Fiscal Transparency

School districts are required to account for expenditures for all state, local, and federal funds on a school-by-school and a district aggregate basis.³⁴

District School Board Budget Transparency

Present Situation

Each district school board must prepare, adopt, and submit an annual operating budget to the commissioner.³⁵ Estimated expenditures in a school district's tentative budget cannot exceed estimated income.³⁶ District expenditures must be limited to amount budgeted under the classification of accounts provided for each fund and to the total amount of the budget after the same have been amended as prescribed by law and rules of the state board.³⁷ However, a district school board may establish policies that allow expenditures to exceed the amount budgeted by function and object, provided that the district school board approves the expenditure and amends the budget within timelines established by school board policies.³⁸

Each district school board must post on its website a plain language version of each proposed, tentative, and official budget which describes each budget item in terms that are easily

³⁴ Section 1010.20(1), F.S.

³⁵ Section 1011.01(3)(a), F.S.

³⁶ Section 1011.02(4), F.S.

³⁷ Section 1011.06(1), F.S.

³⁸ *Id.* at (2).

understandable to the public.³⁹ This information must be prominently posted on the school district's website in a manner that is readily accessible to the public.⁴⁰

Effect of Proposed Changes

The bill requires district budget amendments to occur at the district school board's next scheduled public meeting. Additionally, the bill requires district school boards to provide a full explanation of any budget amendments at the public meeting.

The bill changes the school district budget transparency requirements to school district fiscal transparency requirements. The bill also modifies the information that each district school board must prominently post on its website to add graphical representations, for each public school within the district and for the school district, of the following:

- Summary of financial efficiency data.
- Three-year fiscal trend information on:
 - The ratio of FTE students to FTE instructional personnel.
 - The ratio of FTE students to FTE administrative personnel.
 - The total operating expenditures per FTE student.
 - The total instructional expenditures per FTE student.
 - The general administrative expenditures as a percentage of total budget.
 - The rate of change in the general fund's ending fund balance not classified as restricted.

Accordingly, the bill may provide the public with information on district school board budget and financial information on each public school. Additionally, the bill authorizes an individual school board member to request proposed, tentative, and official budget documents, including all supporting and background information. The bill also requires such documents to be provided to such board member.

General Funds Guidelines

Present Situation

The district school board must maintain a general fund ending fund balance that is sufficient to address normal contingencies.⁴¹ If at any time the portion of the general fund's ending fund balance not classified as restricted, committed, or nonspendable in the district's approved operating budget is projected to fall below 3 percent of projected general fund revenues during the current fiscal year, the district school superintendent must provide written notification to the district school board and the Commissioner of Education.⁴²

Effect of Proposed Changes

For a district school board that has an ending fund balance that falls below the 3 percent threshold for 2 consecutive years, the bill requires district school superintendent to reduce the district school board's administration expenditures in proportion to the reduction in the general fund's ending balance or the reduction in student enrollment, whichever is greater. The bill also

³⁹ Section 1011.035(2), F.S.

⁴⁰ *Id.*

⁴¹ Section 1011.051, F.S.

⁴² *Id.* at (1).

prohibits any district school board with an ending fund balance below the 3 percent threshold from making expenditures for travel outside of the district and other expenses enumerated in law, while the specified financial conditions exist.

Financial Emergency

Present Situation

District school boards are subject to review and oversight by the commissioner when the district is unable to timely pay current debts and liabilities.⁴³ A district school board is in a state of financial emergency when the district is unable to timely pay current debts and liabilities and state assistance is needed for corrective action.⁴⁴ While in a state of financial emergency, the Governor or the commissioner may implement measures which:⁴⁵

- Requires commissioner approval of the district school board's budget;
- Prohibits a district school board from issuing debt;
- Requires inspections and reviews of district school board records, reports and information;
- Establishes a financial emergency board to oversee the activities of the district school board; and
- Requires a plan of action that will cause the district school board to no longer be in a financial emergency.

Effect of Proposed Changes

The bill requires the DOE to contract with an independent third party to conduct an investigation of all accounts and records to determine the cause of the deficit, what efforts, if any, were made to avoid the deficit, and whether any of the specified financial conditions have occurred. The bill specifies that the investigation must include a detailed review and analysis of documents and records, including, but not limited to, budget reports, journal entries, budget methodologies, staff e-mails, hard copy records, monthly financial statements, quarterly revenue and expenditure reports, finance staff job descriptions, and minutes from meetings. Additionally, the results of the investigation must include recommendations for corrective action and controls to avoid a reoccurrence of a future budget shortfall. The bill requires a final report to be provided to the district school board, the department, the Legislative Auditing Committee, and the district's financial emergency board, if applicable. Accordingly, the bill may increase the specified entities' knowledge of the district school boards' financial solvency status.

The bill also requires the withholding of each district school board member's and district school superintendent's salaries if any of the financial conditions specified in law exist, until such conditions are corrected. However, the bill provides that the salary withholding provision does not apply to a district school board member or district superintendent elected or appointed within 1 year after the identification of the specified financial conditions if he or she did not participate in the approval or preparation of the final school district budget adopted before the identification of such conditions.

⁴³ Section 218.503(1), F.S.

⁴⁴ *Id.* at (1) and (3).

⁴⁵ *Id.* at (3)(a)-(h)1.

School District Minimum Classroom Expenditure Requirements

Present Situation

The Legislature may require any school district that fails to meet minimum academic performance standards to increase emphasis on classroom instruction activities from operating funds, including, but not limited to, those provided for the operation of schools.⁴⁶ In determining the classroom expenditure requirement, the DOE is required to calculate the total K-12 operating and classroom instruction expenditures for each district and the percentage of classroom expenditures to total operating expenditures for each district and the state.⁴⁷ School districts required to increase emphasis on classroom activities must submit a final report to the DOE explaining proposed budget actions and the district's level of compliance with spending requirements.⁴⁸

Effect of Proposed Changes

The bill repeals s. 1011.64, F.S., regarding school district minimum classroom expenditure requirements. However, the bill specifies additional requirements for the reporting of classroom expenditures.

Ethical and Other Fiscal Issues

Lobbying

Present Situation

A person who has been elected to any county, municipal, special district, or school district office may not personally represent another person or entity for compensation before the government body or agency of which the person was an officer for a period of 2 years after vacating that office.⁴⁹

Effect of Proposed Changes

The bill applies the restriction on lobbying for 2 years after vacating office to appointed school district superintendents,⁵⁰ which currently applies to locally elected school district officers.

District School Board Member Salary

Present Situation

Each member of the district school board must receive a base salary, the amounts indicated in law, based on the population of the county the district school board member serves.⁵¹ In addition, compensation must be made for population increments over the minimum for each population

⁴⁶ Section 1011.64(1), F.S.

⁴⁷ *Id.* at 3(b)1.

⁴⁸ *Id.* at (4).

⁴⁹ Section 112.313(14), F.S.

⁵⁰ Currently, there are 26 appointed district school superintendents and 41 elected district school superintendents. Florida Department of Education, *Florida Public School Superintendents*, <http://www.fl DOE.org/accountability/data-sys/school-dis-data/superintendents.shtml> (last visited Feb. 18, 2018).

⁵¹ Section 1001.395(1), F.S.

group, which shall be determined by multiplying the population in excess of the minimum for the group times the group rate.⁵²

Effect of Proposed Changes

The bill aligns school board member salaries with the beginning teacher salaries or the amount calculated by statute, whichever is less. In fiscal year 2016-17, the average salary for district school board member exceeded the beginning average salary for teachers in the following 12 of the 67 school districts in the state: Alachua (\$782), Broward (\$739), Dade (\$850), Duval (\$1,810), Hillsborough (\$3,554), Lee (\$1,525), Leon (\$434), Marion (\$528), Orange (\$1,091), Palm Beach (\$747), Pinellas (\$544), and Volusia (\$416).⁵³

District School Board Member Travel Expenses

Present Situation

Each district school board member is reimbursed for authorized travel expenses. Any travel outside the district must also be governed by the rules of the state board.⁵⁴

Effect of Proposed Changes

The bill requires prior approval by the district school board for reimbursement of out-of-district travel expenses that exceed \$500. Additionally, the bill requires the district school board to confirm that such travel is for official business of the school district and complies with the rules of the state board.

The bill also requires the district school board to include in any request for travel outside the state, a detailed itemized list of all anticipated travel expenses; and requires the public to be provided an opportunity to speak on the specific travel agenda item.

Financial Disclosure Fines

Present Situation

Currently, the Commission on Ethics (COE) determines whether a person owing a public financial disclosure fine is a public officer or public employee.⁵⁵ If the COE determines that the person is a current public officer or public employee, the commission may notify the Chief Financial Officer (CFO) or governing body of the amount owed.⁵⁶

Effect of Proposed Changes

The bill:

- Adds district school boards to the entities whom the COE may contact regarding owed fines.
- Modifies collection methods for fines for failure to timely file disclosure of financial interest to require district school boards to withhold a specified amount of funding from employee salaries.

⁵² *Id.*

⁵³ Email, Florida Department of Education (Feb. 19, 2018).

⁵⁴ Section 1001.39, F.S.

⁵⁵ Sections 112.3144(5) and (7), and 112.3145(7), F.S.

⁵⁶ Section 112.31455(1), F.S.

- Authorizes district school boards to retain a portion of the withheld funds to cover administrative costs.

School District Personnel Policies

Present Situation

Except as otherwise provided by law or the State Constitution, district school boards may adopt rules governing personnel matters, including the assignment of duties and responsibilities for all district employees.⁵⁷ However, a district school board member may not employ or appoint a relative to work under the direct supervision of the district school board member.⁵⁸

Effect of Proposed Changes

The bill provides that a district superintendent is also prohibited from appointing or employing a relative, as specified in law, to work under his or her direct supervision. The bill clarifies that this prohibition does not apply to employees appointed or employed before the election or appointment of a school board member or district school superintendent.

Additionally, the bill requires the COE to accept and investigate any alleged violations of the specified prohibition against appointing or employing a relative.

Standards of Ethical Conduct

Present Situation

District school boards are required to adopt policies establishing standards of ethical conduct for instructional personnel and school administrators.⁵⁹ The policies must require all instructional personnel and school administrators to complete specific training, establish the duty of instructional personnel and school administrators to report, and procedures for reporting misconduct which affects the health, safety, or welfare of a student.⁶⁰ Current law prohibits district school boards, instructors, and administrators from entering into confidentiality agreements regarding termination, dismissal, or resignation based on specified misconduct.⁶¹ District school boards are prohibited from providing employment references or discussing the performance of instructors or administrators with prospective employers in another educational setting without disclosing misconduct.⁶² Any part of an agreement that conceals instructor or administrator misconduct is void.⁶³

Effect of Proposed Changes

The bill extends the standards of ethical conduct to apply to administrative personnel and school officers. Accordingly, the bill clarifies that such personnel and officers are subject to ethics

⁵⁷ Section 1012.23(1), F.S.

⁵⁸ *Id.* at (2). The term “relative” includes father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister. Section 112.3135(1)(d), F.S.

⁵⁹ Section 1001.42(6), F.S.

⁶⁰ *Id.*

⁶¹ *Id.*

⁶² *Id.*

⁶³ *Id.*

standards, including training, reporting procedures, reference requirements and contract requirements.

The bill takes effect July 1, 2018.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

CS for SB 1804 appropriates \$850,000 in nonrecurring funds from the General Revenue Fund to the Department of Education to implement this act.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 11.45, 112.313, 112.31455, 1001.20, 1001.39, 1001.395, 1001.42, 1010.20, 1010.30, 1011.01, 1011.03, 1011.035, 1011.051, 1011.06, 1011.09, 1011.10, 1011.60, and 1012.23.

This bill repeals section 1011.64 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education on February 20, 2018:

The committee substitute maintains the substance of the bill with modifications to:

- Fiscal accountability requirements by:
 - Adding to the Auditor General’s (AG’s) duties, the requirement for the AG to contact each district school board with findings and recommendations contained within the AG’s previous operational audit report; and specifies compliance requirements for the district school boards.
 - Requiring the Department of Education to contract with an independent third party to conduct an investigation, which must include specified review and analysis of documents and records.
- Fiscal transparency requirements by:
 - Authorizing an individual school board member to request proposed, tentative, and official budget documents, including all supporting and background information; and requiring such documents to be provided to such board member.
 - Providing that the salary withholding provision does not apply to a district school board member or district superintendent elected or appointed within 1 year after the identification of the specified financial conditions if he or she did not participate in the approval or preparation of the final school district budget adopted before the identification of such conditions.
 - Specifying prior approval by the district school board for reimbursement of out-of-district travel expenses that exceed \$500; and requiring a detailed itemized list of all anticipated travel expenses for any travel outside the state and additionally, requiring the public to be provided an opportunity to speak on the specific travel agenda item.
- Appropriates \$850,000 in nonrecurring funds from the General Revenue Fund to the DOE to implement this act.

B. Amendments:

None.



419978

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
02/20/2018	.	
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	.	
	.	

The Committee on Education (Stargel) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (k) of subsection (2) of section
11.45, Florida Statutes, is redesignated as paragraph (l), and a
new paragraph (k) is added to that subsection, to read:

11.45 Definitions; duties; authorities; reports; rules.—

(2) DUTIES.—The Auditor General shall:

(k) Contact each district school board, as defined in s.
1003.01(1), with the findings and recommendations contained



419978

within the Auditor General's previous operational audit report.
The district school board shall provide the Auditor General with
evidence of the initiation of corrective action within 45 days
after the date it is requested by the Auditor General and
evidence of completion of corrective action within 180 days
after the date it is requested by the Auditor General. If the
district school board fails to comply with the Auditor General's
request or is unable to take corrective action within the
required timeframe, the Auditor General shall notify the
Legislative Auditing Committee.

The Auditor General shall perform his or her duties
independently but under the general policies established by the
Legislative Auditing Committee. This subsection does not limit
the Auditor General's discretionary authority to conduct other
audits or engagements of governmental entities as authorized in
subsection (3).

Section 2. Subsection (14) of section 112.313, Florida
Statutes, is amended to read:

112.313 Standards of conduct for public officers, employees
of agencies, and local government attorneys.—

(14) LOBBYING BY FORMER LOCAL OFFICERS; PROHIBITION.—A
person who has been elected to any county, municipal, special
district, or school district office or appointed superintendent
of a school district may not personally represent another person
or entity for compensation before the government body or agency
of which the person was an officer for a period of 2 years after
vacating that office. For purposes of this subsection:

(a) The "government body or agency" of a member of a board



419978

of county commissioners consists of the commission, the chief administrative officer or employee of the county, and their immediate support staff.

(b) The "government body or agency" of any other county elected officer is the office or department headed by that officer, including all subordinate employees.

(c) The "government body or agency" of an elected municipal officer consists of the governing body of the municipality, the chief administrative officer or employee of the municipality, and their immediate support staff.

(d) The "government body or agency" of an elected special district officer is the special district.

(e) The "government body or agency" of an elected school district officer is the school district.

Section 3. Subsection (1) of section 112.31455, Florida Statutes, is amended to read:

112.31455 Collection methods for unpaid automatic fines for failure to timely file disclosure of financial interests.—

(1) Before referring any unpaid fine accrued pursuant to s. 112.3144(5) or s. 112.3145(7) to the Department of Financial Services, the commission shall attempt to determine whether the individual owing such a fine is a current public officer or current public employee. If so, the commission may notify the Chief Financial Officer or the governing body of the appropriate county, municipality, district school board, or special district of the total amount of any fine owed to the commission by such individual.

(a) After receipt and verification of the notice from the commission, the Chief Financial Officer or the governing body of



419978

the county, municipality, district school board, or special district shall begin withholding the lesser of 10 percent or the maximum amount allowed under federal law from any salary-related payment. The withheld payments shall be remitted to the commission until the fine is satisfied.

(b) The Chief Financial Officer or the governing body of the county, municipality, district school board, or special district may retain an amount of each withheld payment, as provided in s. 77.0305, to cover the administrative costs incurred under this section.

Section 4. Paragraph (e) of subsection (4) of section 1001.20, Florida Statutes, is amended to read:

1001.20 Department under direction of state board.—

(4) The Department of Education shall establish the following offices within the Office of the Commissioner of Education which shall coordinate their activities with all other divisions and offices:

(e) *Office of Inspector General*.—Organized using existing resources and funds and responsible for promoting accountability, efficiency, and effectiveness and detecting fraud and abuse within school districts, the Florida School for the Deaf and the Blind, and Florida College System institutions in Florida. If the Commissioner of Education determines that a district school board, the Board of Trustees for the Florida School for the Deaf and the Blind, or a Florida College System institution board of trustees is unwilling or unable to address substantiated allegations made by any person relating to waste, fraud, or financial mismanagement within the school district, the Florida School for the Deaf and the Blind, or the Florida



419978

College System institution, the office shall conduct, coordinate, or request investigations into such substantiated allegations. The office shall investigate allegations or reports of possible fraud or abuse against a district school board made by any member of the Cabinet; the presiding officer of either house of the Legislature; a chair of a substantive or appropriations committee with jurisdiction; or a member of the board for which an investigation is sought. The office shall have access to all information and personnel necessary to perform its duties and shall have all of its current powers, duties, and responsibilities authorized in s. 20.055.

Section 5. Subsection (1) of section 1001.39, Florida Statutes, is amended to read:

1001.39 District school board members; travel expenses.—

(1) In addition to the salary provided in s. 1001.395, each member of a district school board shall be allowed, from the district school fund, reimbursement of travel expenses as authorized in s. 112.061, ~~except as provided that in subsection (2).~~ any travel outside the district that exceeds \$500 requires prior approval by the district school board to confirm that such travel is for official business of the school district and complies with ~~shall also be governed by the~~ rules of the State Board of Education. Any request for travel outside the state must include an itemized list detailing all anticipated travel expenses, including, but not limited to, the anticipated costs of all means of travel, lodging, and subsistence. Immediately preceding a request, the public must have an opportunity to speak on the specific travel agenda item.

Section 6. Subsection (3) of section 1001.395, Florida



419978

Statutes, is amended to read:

1001.395 District school board members; compensation.—

(3) Notwithstanding the provisions of this section and s. 145.19, ~~for the 2010-2011 fiscal year,~~ the salary of each district school board member shall be the amount calculated pursuant to subsection (1) or the district's beginning salary for teachers who hold baccalaureate degrees, whichever is less.

Section 7. Subsections (6) and (7), paragraphs (b) and (1) of subsection (12), and paragraph (b) of subsection (17) of section 1001.42, Florida Statutes, are amended to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(6) STANDARDS OF ETHICAL CONDUCT FOR INSTRUCTIONAL PERSONNEL, ADMINISTRATIVE PERSONNEL, AND SCHOOL OFFICERS ~~ADMINISTRATORS~~.—Adopt policies establishing standards of ethical conduct for instructional personnel, administrative personnel, and school officers administrators. The policies must require all instructional personnel, administrative personnel, and school officers administrators, as defined in s. 1012.01, to complete training on the standards; establish the duty of instructional personnel, administrative personnel, and school officers administrators to report, and procedures for reporting, alleged misconduct by other instructional or administrative personnel and school officers administrators which affects the health, safety, or welfare of a student; and include an explanation of the liability protections provided under ss. 39.203 and 768.095. A district school board, or any of its employees, may not enter into a confidentiality agreement



419978

regarding terminated or dismissed instructional or
administrative personnel or school officers ~~administrators, or~~
~~personnel or administrators~~ who resign in lieu of termination,
based in whole or in part on misconduct that affects the health,
safety, or welfare of a student, and may not provide
instructional personnel, administrative personnel, or school
officers ~~administrators~~ with employment references or discuss
the personnel's or officers' ~~administrators'~~ performance with
prospective employers in another educational setting, without
disclosing the personnel's or officers' ~~administrators'~~
misconduct. Any part of an agreement or contract that has the
purpose or effect of concealing misconduct by instructional
personnel, administrative personnel, or school officers
~~administrators~~ which affects the health, safety, or welfare of a
student is void, is contrary to public policy, and may not be
enforced.

(7) DISQUALIFICATION FROM EMPLOYMENT.—Disqualify
instructional personnel and administrative personnel ~~school~~
~~administrators~~, as defined in s. 1012.01, from employment in any
position that requires direct contact with students if the
personnel ~~or administrators~~ are ineligible for such employment
under s. 1012.315. An elected or appointed school board official
forfeits his or her salary for 1 year if:

(a) The school board official knowingly signs and transmits
to any state official a report of alleged misconduct by
instructional personnel or administrative personnel ~~school~~
~~administrators~~ which affects the health, safety, or welfare of a
student and the school board official knows the report to be
false or incorrect; or



419978

(b) The school board official knowingly fails to adopt policies that require instructional personnel and administrative personnel ~~school administrators~~ to report alleged misconduct by other instructional personnel and administrative personnel ~~school administrators~~, or that require the investigation of all reports of alleged misconduct by instructional personnel and administrative personnel ~~school administrators~~, if the misconduct affects the health, safety, or welfare of a student.

(12) FINANCE.—Take steps to assure students adequate educational facilities through the financial procedure authorized in chapters 1010 and 1011 and as prescribed below:

(b) *Annual budget.*—

1. Cause to be prepared, adopt, and have submitted to the Department of Education as required by law and rules of the State Board of Education, the annual school budget, such budget to be so prepared and executed as to promote the improvement of the district school system.

2. An individual school board member may request and shall receive any proposed, tentative, and official budget documents, including all supporting and background information.

(1) Internal auditor.—May or, in the case of a school district receiving annual federal, state, and local funds in excess of \$500 million, shall employ an internal auditor. The duties of the internal auditor shall include oversight of every functional and program area of the school system.

1. The internal auditor shall ~~to~~ perform ongoing financial verification of the financial records of the school district, a comprehensive risk assessment of all areas of the school system every 5 years, and other audits and reviews as the district



419978

school board directs for determining:

a. The adequacy of internal controls designed to prevent and detect fraud, waste, and abuse.

b. Compliance with applicable laws, rules, contracts, grant agreements, district school board-approved policies, and best practices.

c. The efficiency of operations.

d. The reliability of financial records and reports.

e. The safeguarding of assets.

f. Financial solvency.

g. Projected revenues and expenditures.

h. The rate of change in the general fund balance.

2. The internal auditor shall prepare audit reports of his or her findings and report directly to the district school board or its designee.

3. Any person responsible for furnishing or producing any book, record, paper, document, data, or sufficient information necessary to conduct a proper audit or examination which the internal auditor is by law authorized to perform is subject to the provisions of s. 11.47(3) and (4).

(17) PUBLIC INFORMATION AND PARENTAL INVOLVEMENT PROGRAM.—

(b) Adopt rules to strengthen family involvement and empowerment pursuant to s. 1002.23. The rules shall be developed in collaboration with administrative personnel ~~school administrators~~, parents, teachers, and community partners.

Section 8. Subsection (2) of section 1010.20, Florida Statutes, is amended to read:

1010.20 Cost accounting and reporting for school districts.—



419978

(2) COST REPORTING.—

(a) Each district shall report on a district-aggregate basis expenditures for inservice training pursuant to s. 1011.62(3) and for categorical programs as provided in s. 1011.62(6).

(b) Each district shall report to the department on a school-by-school and on an aggregate district basis expenditures for:

1. Each program funded in s. 1011.62(1)(c).

2. Total operating costs as reported pursuant to s. 1010.215.

3. Expenditures for classroom instruction pursuant to the calculation in s. 1010.215(4)(b)1. and 2.

(c) The department shall:

1. Categorize all public schools and districts into appropriate groups based primarily on average full-time equivalent student enrollment as reported on the most recent student membership survey under s. 1011.62 and in state board rule to determine groups of peer schools and districts.

2. Annually calculate for each public school, district, and for the entire state, the percentage of classroom expenditures to total operating costs expenditures reported in subparagraphs (b)2. and 3. The results shall be categorized pursuant to this paragraph.

3. Annually calculate for all public schools, districts, and the state, the average percentage of classroom expenditures to total operating costs and expenditures reported in subparagraphs (b)2. and 3. The results shall be categorized pursuant to this paragraph.



419978

4. Develop a web-based fiscal transparency tool that identifies public schools and districts that produce high academic achievement based on the ratio of classroom instruction expenditures to total expenditures. The fiscal transparency tool shall combine the data calculated pursuant to this paragraph with the student performance measurements calculated pursuant to s. 1012.34(7) to determine the financial efficiency of each public school and district. The results shall be displayed in an easy-to-use format that enables the user to compare performance among public schools and districts.

(d)~~(e)~~ The Commissioner of Education shall present to the Legislature, prior to the opening of the regular session each year, a district-by-district report of the expenditures reported pursuant to paragraphs (a) and (b). The report shall include total expenditures, a detailed analysis showing expenditures for each program, and such other data as may be useful for management of the education system. The Commissioner of Education shall also compute cost factors relative to the base student allocation for each funded program in s. 1011.62(1)(c).

Section 9. Subsection (2) of section 1010.30, Florida Statutes, is amended to read:

1010.30 Audits required.—

(2) If an audit contains a significant deficiency or material weakness ~~finding~~, the district school board, the Florida College System institution board of trustees, or the university board of trustees shall conduct an audit overview during a public meeting. The audit overview shall describe the corrective action to be taken and a timeline for completion of such action.



419978

Section 10. Paragraph (a) of subsection (3) of section 1011.01, Florida Statutes, is amended to read:

1011.01 Budget system established.—

(3)(a) Each district school board and each Florida College System institution board of trustees shall prepare, adopt, and submit to the Commissioner of Education an annual operating budget. Operating budgets shall be prepared and submitted in accordance with the provisions of law, rules of the State Board of Education, the General Appropriations Act, and for district school boards in accordance with the provisions of s. 200.065 ~~ss. 200.065 and 1011.64~~.

Section 11. Subsection (2) of section 1011.03, Florida Statutes, is amended to read:

1011.03 Public hearings; budget to be submitted to Department of Education.—

~~(2) The advertisement of a district that has been required by the Legislature to increase classroom expenditures pursuant to s. 1011.64 must include the following statement:~~
~~"This proposed budget reflects an increase in classroom expenditures as a percent of total current operating expenditures of XX percent over the (previous fiscal year) fiscal year. This increase in classroom expenditures is required by the Legislature because the district has performed below the required performance standard on XX of XX student performance standards for the (previous school year) school year. In order to achieve the legislatively required level of classroom expenditures as a percentage of total operating expenditures, the proposed budget includes an increase in overall classroom expenditures of \$XX,XXX,XXX above the amount spent for this same~~



419978

~~purpose during the (previous fiscal year) fiscal year. In order to achieve improved student academic performance, this proposed increase is being budgeted for the following activities: ... (list activities and amount budgeted)"~~

Section 12. Section 1011.035, Florida Statutes, is amended to read:

1011.035 School district fiscal ~~budget~~ transparency.-

(1) It is important for school districts to provide budgetary transparency to enable taxpayers, parents, and education advocates to obtain school district budget and related information in a manner that is simply explained and easily understandable. Budgetary transparency leads to more responsible spending, more citizen involvement, and improved accountability. A budget that is not transparent, accessible, and accurate cannot be properly analyzed, its implementation thoroughly monitored, or its outcomes evaluated.

(2) Each district school board shall post on its website a plain language version of each proposed, tentative, and official budget which describes each budget item in terms that are easily understandable to the public and includes:

(a) Graphical representations, for each public school within the district and for the school district, of the following:

1. Summary financial efficiency data.

2. Fiscal trend information for the previous 3 years on:

a. The ratio of full-time equivalent students to full-time equivalent instructional personnel.

b. The ratio of full-time equivalent students to full-time equivalent administrative personnel.



419978

c. The total operating expenditures per full-time
equivalent student.

d. The total instructional expenditures per full-time
equivalent student.

e. The general administrative expenditures as a percentage
of total budget.

f. The rate of change in the general fund's ending fund
balance not classified as restricted.

(b) A link to the web-based fiscal transparency tool
developed by the department pursuant to s. 1010.20 to enable
taxpayers to evaluate the financial efficiency of the school
district and compare the financial efficiency of the school
district with other similarly situated school districts.

This information must be prominently posted on the school
district's website in a manner that is readily accessible to the
public.

(3) Each district school board is encouraged to post the
following information on its website:

(a) Timely information as to when a budget hearing will be
conducted.

(b) Each contract between the district school board and the
teachers' union.

(c) Each contract between the district school board and
noninstructional staff.

(d) Each contract exceeding \$35,000 between the school
board and a vendor of services, supplies, or programs or for the
purchase or lease of lands, facilities, or properties.

(e) Each contract exceeding \$35,000 that is an emergency



419978

procurement or is with a single source as authorized under s.
287.057(3).

(f) Recommendations of the citizens' budget advisory
committee.

(g) Current and archived video recordings of each district
school board meeting and workshop.

(4) The website should contain links to:

(a) Help explain or provide background information on
various budget items that are required by state or federal law.

(b) Allow users to navigate to related sites to view
supporting details.

(c) Enable taxpayers, parents, and education advocates to
send e-mails asking questions about the budget and enable others
to view the questions and responses.

Section 13. Section 1011.051, Florida Statutes, is amended
to read:

1011.051 Guidelines for general funds.—The district school
board shall maintain a general fund ending fund balance that is
sufficient to address normal contingencies.

(1) If at any time the portion of the general fund's ending
fund balance not classified as restricted, committed, or
nonspendable in the district's approved operating budget is
projected to fall below 3 percent of projected general fund
revenues during the current fiscal year, the superintendent
shall provide written notification to the district school board
and the Commissioner of Education. If such financial condition
exists for 2 consecutive fiscal years, the superintendent shall
reduce the district's administrative expenditures reported
pursuant to s. 1010.215(4)(a) in proportion to the reduction in



419978

the general fund's ending balance or the reduction in student enrollment, whichever is greater.

(2)(a) If at any time the portion of the general fund's ending fund balance not classified as restricted, committed, or nonspendable in the district's approved operating budget is projected to fall below 2 percent of projected general fund revenues during the current fiscal year, the superintendent shall provide written notification to the district school board and the Commissioner of Education. Within 14 days after receiving such notification, if the commissioner determines that the district does not have a plan that is reasonably anticipated to avoid a financial emergency as determined pursuant to s. 218.503, the commissioner shall appoint a financial emergency board that shall operate under the requirements, powers, and duties specified in s. 218.503(3)(g).

(b) If any of the conditions identified in s. 218.503(1) existed in the 2015-2016 school year or thereafter, the department shall contract with an independent third party to conduct an investigation of all accounts and records to determine the cause of the deficit, what efforts, if any, were made to avoid the deficit, and whether any of the conditions identified in s. 1011.10 have occurred. The investigation must include a detailed review and analysis of documents and records, including, but not limited to, budget reports, journal entries, budget methodologies, staff e-mails, hard copy records, monthly financial statements, quarterly revenue and expenditure reports, finance staff job descriptions, and minutes from meetings. The results of the investigation must include recommendations for corrective action and controls to avoid a reoccurrence of a



419978

future budget shortfall. A final report shall be provided to the district school board, the department, the Legislative Auditing Committee, and the district's financial emergency board, if applicable.

Section 14. Subsection (2) of section 1011.06, Florida Statutes, is amended to read:

1011.06 Expenditures.—

(2) EXPENDITURES FROM DISTRICT AND OTHER FUNDS.—

Expenditures from district and all other funds available for the public school program of any district shall be authorized by law and must be in accordance with procedures prescribed by the district school board. A district school board may establish policies that allow expenditures to exceed the amount budgeted by function and object, provided that the district school board complies with s. 1011.09(4) and approves the expenditure by amending and amends the budget at the next scheduled public meeting. The district school board must provide a full explanation of any amendments at the public meeting within timelines established by school board policies.

Section 15. Subsection (4) of section 1011.09, Florida Statutes, is amended to read:

1011.09 Expenditure of funds by district school board.—All state funds apportioned to the credit of any district constitute a part of the district school fund of that district and must be budgeted and expended under authority of the district school board subject to the provisions of law and rules of the State Board of Education.

(4) If the financial conditions in s. 1011.051 exist, a district school board ~~During the 2009-2010 fiscal year, unless~~



419978

~~otherwise specifically approved by the district school board,~~
~~public funds~~ may not make expenditures ~~be expended~~ for ~~out-of-~~
~~state~~ travel outside of the district or cellular phones,
cellular phone service, personal digital assistants, or any
other mobile wireless communication device or service, including
text messaging, whether through purchasing, leasing,
contracting, or any other method, while the financial conditions
exist. The expenditure of public funds for art programs, music
programs, sports programs, and extracurricular programs for
students is a higher priority than expending funds for employee
travel and cellular phones.

Section 16. Subsection (3) is added to section 1011.10,
Florida Statutes, to read:

1011.10 Penalty.—

(3) If any of the conditions identified in s. 218.503(1)
exist within a school district, the salary of each district
school board member and district superintendent, calculated
pursuant to ss. 1001.395 and 1001.47, shall be withheld until
the conditions are corrected. This subsection does not apply to
a district school board member or district superintendent
elected or appointed within 1 year after the identification of
the conditions in s. 218.503(1) if he or she did not participate
in the approval or preparation of the final school district
budget adopted before the identification of such conditions.

Section 17. Subsection (8) of section 1011.60, Florida
Statutes, is amended to read:

1011.60 Minimum requirements of the Florida Education
Finance Program.—Each district which participates in the state
appropriations for the Florida Education Finance Program shall



419978

provide evidence of its effort to maintain an adequate school program throughout the district and shall meet at least the following requirements:

~~(8) MINIMUM CLASSROOM EXPENDITURE REQUIREMENTS. Comply with the minimum classroom expenditure requirements and associated reporting pursuant to s. 1011.64.~~

Section 18. Section 1011.64, Florida Statutes, is repealed.

Section 19. Subsection (2) of section 1012.23, Florida Statutes, is amended to read:

1012.23 School district personnel policies.—

(2) The district school superintendent or a district school board member may not appoint or employ or appoint a relative, as defined in s. 112.3135, to work under the direct supervision of that district school board member or district school superintendent. The limitations of this subsection do not apply to employees appointed or employed before the election or appointment of a school board member or district school superintendent. The Commission on Ethics shall accept and investigate any alleged violations of this section pursuant to the procedures contained in ss. 112.322-112.3241.

Section 20. Paragraph (d) of subsection (9) of section 1002.395, Florida Statutes, is amended to read:

1002.395 Florida Tax Credit Scholarship Program.—

(9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of Education shall:

(d) Annually verify the eligibility of expenditures as provided in paragraph (6) (d) using the audit required by paragraph (6) (m) and s. 11.45(2)(l) ~~s. 11.45(2)(k)~~.

Section 21. For the 2018-2019 fiscal year, the sum of



419978

\$850,000 in nonrecurring funds from the General Revenue Fund is appropriated to the Department of Education to implement the provisions of this act.

Section 22. This act shall take effect July 1, 2018.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to school district accountability;
amending s. 11.45, F.S.; revising the duties of the
Auditor General; amending s. 112.313, F.S.;
prohibiting former appointed district school
superintendents from conducting certain lobbying
activities; amending s. 112.31455, F.S.; requiring the
governing body of a district school board to be
notified if an officer or employee of the body owes a
certain fine; requiring the governing body of a
district school board to take specified actions under
such circumstances; amending s. 1001.20, F.S.;
requiring the Office of Inspector General to
investigate certain allegations and reports made by
specified individuals; amending s. 1001.39, F.S.;
requiring certain district school board member travel
outside of the school district to be preapproved and
meet certain criteria; providing requirements for a
school board member's request for travel outside of
the state; providing an opportunity for the public to



419978

563 speak on such travel; amending s. 1001.395, F.S.;
564 providing that certain requirements for the salaries
565 of district school board members apply every fiscal
566 year, rather than one specific fiscal year; amending
567 s. 1001.42, F.S.; providing that the standards of
568 ethical conduct apply to administrative personnel and
569 school officers; authorizing district school board
570 members to request and receive specified budget
571 information; requiring employment of internal auditors
572 in certain school districts; revising provisions
573 relating to the duties of such internal auditors;
574 amending s. 1010.20, F.S.; requiring each school
575 district to report certain expenditures to the
576 Department of Education; providing department
577 responsibilities; amending s. 1010.30, F.S.; requiring
578 certain entities to provide an audit overview under
579 certain circumstances; providing the contents of the
580 overview; amending ss. 1011.01 and 1011.03, F.S.;
581 conforming cross-references; amending s. 1011.035,
582 F.S.; requiring each district school board to post on
583 its website certain graphical representations and a
584 link to a certain web-based tool on the department's
585 website; providing requirements for such graphical
586 representations; amending s. 1011.051, F.S.; requiring
587 a district school board to limit certain expenditures
588 by a specified amount if certain financial conditions
589 exist for a specified period of time; requiring the
590 department to contract with a third party to conduct
591 an investigation under certain circumstances;



419978

providing requirements for such investigation;
requiring the results of such investigation to include
certain information and be provided to certain
entities; amending s. 1011.06, F.S.; requiring each
district school board to approve certain expenditures
by amending its budget and provide a public
explanation for such budget amendments; amending s.
1011.09, F.S.; providing certain expenditure
limitations for a school district that meets specified
criteria; amending s. 1011.10, F.S.; requiring certain
school districts to withhold certain district school
board member and school district superintendent
salaries until certain conditions are met; amending s.
1011.60, F.S.; conforming cross-references; repealing
s. 1011.64, F.S., relating to school district minimum
classroom expenditure requirements; amending s.
1012.23, F.S.; prohibiting a school district
superintendent and district school board from
appointing or employing certain individuals in certain
positions; providing an exception; requiring the
Commission on Ethics to investigate alleged
violations; amending s. 1002.395, F.S.; conforming a
cross-reference; providing a contingent appropriation;
providing an effective date.

By Senator Stargel

22-01165A-18

20181804__

1 A bill to be entitled
 2 An act relating to school district accountability;
 3 amending s. 11.45, F.S.; revising the duties of the
 4 Auditor General; amending s. 112.313, F.S.;
 5 prohibiting former appointed district school
 6 superintendents from conducting certain lobbying
 7 activities; amending s. 112.31455, F.S.; requiring the
 8 governing body of a district school board be notified
 9 if an officer or employee of the body owes a certain
 10 fine; requiring the governing body of a district
 11 school board to take specified actions under such
 12 circumstances; amending s. 1001.20, F.S.; requiring
 13 the Office of Inspector General to investigate certain
 14 allegations and reports made by specified individuals;
 15 amending s. 1001.39, F.S.; requiring a district school
 16 board member's travel outside of the school district
 17 to be preapproved and meet certain criteria; amending
 18 s. 1001.395, F.S.; providing that certain requirements
 19 for the salaries of district school board members
 20 apply every fiscal year, rather than one specific
 21 fiscal year; amending s. 1001.42, F.S.; providing that
 22 the standards of ethical conduct apply to
 23 administrative personnel and school officers;
 24 requiring employment of internal auditors in certain
 25 school districts; revising provisions relating to the
 26 duties of such internal auditors; amending s. 1010.20,
 27 F.S.; requiring each school district to report certain
 28 expenditures to the Department of Education; providing
 29 department responsibilities; amending s. 1010.30,

Page 1 of 19

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

22-01165A-18

20181804__

30 F.S.; requiring certain entities to provide an audit
 31 overview under certain circumstances; providing the
 32 contents of the overview; amending ss. 1011.01 and
 33 1011.03, F.S.; conforming cross-references; amending
 34 s. 1011.035, F.S.; requiring each district school
 35 board to post on its website certain graphical
 36 representations and a link to a certain web-based tool
 37 on the department's website; providing requirements
 38 for such graphical representations; amending s.
 39 1011.051, F.S.; requiring a district school board to
 40 limit certain expenditures by a specified amount if
 41 certain financial conditions exist for a specified
 42 period of time; requiring the department to contract
 43 with a third party to conduct a forensic audit under
 44 certain circumstances; requiring the results of such
 45 audit to be provided to certain entities; amending s.
 46 1011.06, F.S.; requiring each district school board to
 47 approve certain expenditures by amending its budget
 48 and provide a public explanation for such budget
 49 amendments; amending s. 1011.09, F.S.; providing
 50 certain expenditure limitations for a school district
 51 that meets specified criteria; amending s. 1011.10,
 52 F.S.; requiring certain school districts to withhold
 53 district school board member and school district
 54 superintendent salaries until certain conditions are
 55 met; amending s. 1011.60, F.S.; conforming cross-
 56 references; repealing s. 1011.64, F.S., relating to
 57 school district minimum classroom expenditure
 58 requirements; amending s. 1012.23, F.S.; prohibiting a

Page 2 of 19

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

22-01165A-18

20181804__

school district superintendent and district school board from appointing or employing certain individuals in certain positions; providing an exception; requiring the Commission on Ethics to investigate alleged violations; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (j) of subsection (2) of section 11.45, Florida Statutes, is amended to read:

11.45 Definitions; duties; authorities; reports; rules.—

(2) DUTIES.—The Auditor General shall:

(j) Conduct audits of local governmental entities when determined to be necessary by the Auditor General, when directed by the Legislative Auditing Committee, or when otherwise required by law. No later than 18 months after the release of the audit report, the Auditor General shall:

1. Perform such appropriate followup procedures as he or she deems necessary to determine the audited entity's progress in addressing the findings and recommendations contained within the Auditor General's previous report.

2. Perform such appropriate followup procedures to determine a district school board's progress in addressing findings and recommendations that require corrective action contained within the Auditor General's previous report. The Commissioner of Education shall be notified of the district school board's progress.

The Auditor General shall notify each member of the audited

22-01165A-18

20181804__

entity's governing body and the Legislative Auditing Committee of the results of his or her determination.

The Auditor General shall perform his or her duties independently but under the general policies established by the Legislative Auditing Committee. This subsection does not limit the Auditor General's discretionary authority to conduct other audits or engagements of governmental entities as authorized in subsection (3).

Section 2. Subsection (14) of section 112.313, Florida Statutes, is amended to read:

112.313 Standards of conduct for public officers, employees of agencies, and local government attorneys.—

(14) LOBBYING BY FORMER LOCAL OFFICERS; PROHIBITION.—A person who has been elected to any county, municipal, special district, or school district office or appointed superintendent of a school district may not personally represent another person or entity for compensation before the government body or agency of which the person was an officer for a period of 2 years after vacating that office. For purposes of this subsection:

(a) The "government body or agency" of a member of a board of county commissioners consists of the commission, the chief administrative officer or employee of the county, and their immediate support staff.

(b) The "government body or agency" of any other county elected officer is the office or department headed by that officer, including all subordinate employees.

(c) The "government body or agency" of an elected municipal officer consists of the governing body of the municipality, the

22-01165A-18

20181804__

chief administrative officer or employee of the municipality,
and their immediate support staff.

(d) The "government body or agency" of an elected special
district officer is the special district.

(e) The "government body or agency" of an elected school
district officer is the school district.

Section 3. Subsection (1) of section 112.31455, Florida
Statutes, is amended to read:

112.31455 Collection methods for unpaid automatic fines for
failure to timely file disclosure of financial interests.—

(1) Before referring any unpaid fine accrued pursuant to s.
112.3144(5) or s. 112.3145(7) to the Department of Financial
Services, the commission shall attempt to determine whether the
individual owing such a fine is a current public officer or
current public employee. If so, the commission may notify the
Chief Financial Officer or the governing body of the appropriate
county, municipality, district school board, or special district
of the total amount of any fine owed to the commission by such
individual.

(a) After receipt and verification of the notice from the
commission, the Chief Financial Officer or the governing body of
the county, municipality, district school board, or special
district shall begin withholding the lesser of 10 percent or the
maximum amount allowed under federal law from any salary-related
payment. The withheld payments shall be remitted to the
commission until the fine is satisfied.

(b) The Chief Financial Officer or the governing body of
the county, municipality, district school board, or special
district may retain an amount of each withheld payment, as

22-01165A-18

20181804__

provided in s. 77.0305, to cover the administrative costs
incurred under this section.

Section 4. Paragraph (e) of subsection (4) of section
1001.20, Florida Statutes, is amended to read:

1001.20 Department under direction of state board.—

(4) The Department of Education shall establish the
following offices within the Office of the Commissioner of
Education which shall coordinate their activities with all other
divisions and offices:

(e) *Office of Inspector General*.—Organized using existing
resources and funds and responsible for promoting
accountability, efficiency, and effectiveness and detecting
fraud and abuse within school districts, the Florida School for
the Deaf and the Blind, and Florida College System institutions
in Florida. If the Commissioner of Education determines that a
district school board, the Board of Trustees for the Florida
School for the Deaf and the Blind, or a Florida College System
institution board of trustees is unwilling or unable to address
substantiated allegations made by any person relating to waste,
fraud, or financial mismanagement within the school district,
the Florida School for the Deaf and the Blind, or the Florida
College System institution, the office shall conduct,
coordinate, or request investigations into such substantiated
allegations. The office shall investigate allegations or reports
of possible fraud or abuse against a district school board made
by any member of the Cabinet; the presiding officer of either
house of the Legislature; a chair of a substantive or
appropriations committee with jurisdiction; or a member of the
board for which an investigation is sought. The office shall

22-01165A-18

20181804__

175 have access to all information and personnel necessary to
 176 perform its duties and shall have all of its current powers,
 177 duties, and responsibilities authorized in s. 20.055.

178 Section 5. Subsection (1) of section 1001.39, Florida
 179 Statutes, is amended to read:

180 1001.39 District school board members; travel expenses.—

181 (1) In addition to the salary provided in s. 1001.395, each
 182 member of a district school board shall be allowed, from the
 183 district school fund, reimbursement of travel expenses as
 184 authorized in s. 112.061, ~~except as provided that in subsection~~
 185 ~~(2).~~ any travel outside the district requires prior approval by
 186 the district school board to confirm that such travel is for
 187 official business of the school district and complies with ~~shall~~
 188 ~~also be governed by the rules of the State Board of Education.~~

189 Section 6. Subsection (3) of section 1001.395, Florida
 190 Statutes, is amended to read:

191 1001.395 District school board members; compensation.—

192 (3) Notwithstanding the provisions of this section and s.
 193 145.19, ~~for the 2010-2011 fiscal year,~~ the salary of each
 194 district school board member shall be the amount calculated
 195 pursuant to subsection (1) or the district's beginning salary
 196 for teachers who hold baccalaureate degrees, whichever is less.

197 Section 7. Subsections (6) and (7), paragraph (1) of
 198 subsection (12), and paragraph (b) of subsection (17) of section
 199 1001.42, Florida Statutes, are amended to read:

200 1001.42 Powers and duties of district school board.—The
 201 district school board, acting as a board, shall exercise all
 202 powers and perform all duties listed below:

203 (6) STANDARDS OF ETHICAL CONDUCT FOR INSTRUCTIONAL

22-01165A-18

20181804__

204 PERSONNEL, ADMINISTRATIVE PERSONNEL, AND SCHOOL OFFICERS

205 ~~ADMINISTRATORS.~~—Adopt policies establishing standards of ethical
 206 conduct for instructional personnel, administrative personnel,
 207 and school ~~officers administrators~~. The policies must require
 208 all instructional personnel, administrative personnel, and
 209 school ~~officers administrators~~, as defined in s. 1012.01, to
 210 complete training on the standards; establish the duty of
 211 instructional personnel, administrative personnel, and school
 212 ~~officers administrators~~ to report, and procedures for reporting,
 213 alleged misconduct by other instructional or administrative
 214 personnel and school officers ~~school administrators~~ which
 215 affects the health, safety, or welfare of a student; and include
 216 an explanation of the liability protections provided under ss.
 217 39.203 and 768.095. A district school board, or any of its
 218 employees, may not enter into a confidentiality agreement
 219 regarding terminated or dismissed instructional or
 220 administrative personnel or school officers ~~administrators, or~~
 221 ~~personnel or administrators~~ who resign in lieu of termination,
 222 based in whole or in part on misconduct that affects the health,
 223 safety, or welfare of a student, and may not provide
 224 instructional personnel, administrative personnel, or school
 225 ~~officers administrators~~ with employment references or discuss
 226 the personnel's or officers' ~~administrators'~~ performance with
 227 prospective employers in another educational setting, without
 228 disclosing the personnel's or officers' ~~administrators'~~
 229 misconduct. Any part of an agreement or contract that has the
 230 purpose or effect of concealing misconduct by instructional
 231 personnel, administrative personnel, or school officers
 232 ~~administrators~~ which affects the health, safety, or welfare of a

22-01165A-18 20181804

student is void, is contrary to public policy, and may not be enforced.

(7) DISQUALIFICATION FROM EMPLOYMENT.—Disqualify instructional personnel and administrative personnel school administrators, as defined in s. 1012.01, from employment in any position that requires direct contact with students if the personnel ~~or administrators~~ are ineligible for such employment under s. 1012.315. An elected or appointed school board official forfeits his or her salary for 1 year if:

(a) The school board official knowingly signs and transmits to any state official a report of alleged misconduct by instructional personnel or administrative personnel school administrators which affects the health, safety, or welfare of a student and the school board official knows the report to be false or incorrect; or

(b) The school board official knowingly fails to adopt policies that require instructional personnel and administrative personnel school administrators to report alleged misconduct by other instructional personnel and administrative personnel school administrators, or that require the investigation of all reports of alleged misconduct by instructional personnel and administrative personnel school administrators, if the misconduct affects the health, safety, or welfare of a student.

(12) FINANCE.—Take steps to assure students adequate educational facilities through the financial procedure authorized in chapters 1010 and 1011 and as prescribed below:

(1) Internal auditor.—May or, in the case of a school district receiving annual federal, state, and local funds in excess of \$500 million, shall employ an internal auditor. The

22-01165A-18 20181804

duties of the internal auditor shall include oversight of every functional and program area of the school system.

1. The internal auditor shall ~~to~~ perform ongoing financial verification of the financial records of the school district, a comprehensive risk assessment of all areas of the school system every 5 years, and other audits and reviews as the district school board directs for determining:

a. The adequacy of internal controls designed to prevent and detect fraud, waste, and abuse.

b. Compliance with applicable laws, rules, contracts, grant agreements, district school board-approved policies, and best practices.

c. The efficiency of operations.

d. The reliability of financial records and reports.

e. The safeguarding of assets.

f. Financial solvency.

g. Projected revenues and expenditures.

h. The rate of change in the general fund balance.

2. The internal auditor shall prepare audit reports of his or her findings and report directly to the district school board or its designee.

3. Any person responsible for furnishing or producing any book, record, paper, document, data, or sufficient information necessary to conduct a proper audit or examination which the internal auditor is by law authorized to perform is subject to the provisions of s. 11.47(3) and (4).

(17) PUBLIC INFORMATION AND PARENTAL INVOLVEMENT PROGRAM.—

(b) Adopt rules to strengthen family involvement and empowerment pursuant to s. 1002.23. The rules shall be developed

22-01165A-18 20181804__

in collaboration with ~~administrative personnel school~~
~~administrators~~, parents, teachers, and community partners.

Section 8. Subsection (2) of section 1010.20, Florida
 Statutes, is amended to read:

1010.20 Cost accounting and reporting for school
 districts.—

(2) COST REPORTING.—

(a) Each district shall report on a district-aggregate
 basis expenditures for inservice training pursuant to s.
 1011.62(3) and for categorical programs as provided in s.
 1011.62(6).

(b) Each district shall report to the department on a
 school-by-school and on an aggregate district basis expenditures
 for:

1. Each program funded in s. 1011.62(1)(c).

2. Total operating costs as reported pursuant to s.
1010.215.

3. Expenditures for classroom instruction pursuant to the
calculation in s. 1010.215(4)(b)1. and 2.

(c) The department shall:

1. Categorize all public schools and districts into
appropriate groups based primarily on average full-time
equivalent student enrollment as reported on the most recent
student membership survey under s. 1011.62 and in state board
rule to determine groups of peer schools and districts.

2. Annually calculate for each public school, district, and
for the entire state, the percentage of classroom expenditures
to total operating expenditures reported in subparagraphs (b)2.
and 3. The results shall be categorized pursuant to this

22-01165A-18 20181804__

paragraph.

3. Annually calculate for all public schools, districts,
and the state, the average percentage of classroom expenditures
to total operating expenditures reported in subparagraphs (b)2.
and 3. The results shall be categorized pursuant to this
paragraph.

4. Develop a web-based fiscal transparency tool that
identifies public schools and districts that produce high
academic achievement based on the ratio of classroom instruction
expenditures to total expenditures. The fiscal transparency tool
shall combine the data calculated pursuant to this paragraph
with the student performance measurements calculated pursuant to
s. 1012.34(7) to determine the financial efficiency of each
public school and district. The results shall be displayed in an
easy to use format that enables the user to compare performance
among public schools and districts.

(d) ~~(e)~~ The Commissioner of Education shall present to the
 Legislature, prior to the opening of the regular session each
 year, a district-by-district report of the expenditures reported
 pursuant to paragraphs (a) and (b). The report shall include
 total expenditures, a detailed analysis showing expenditures for
 each program, and such other data as may be useful for
 management of the education system. The Commissioner of
 Education shall also compute cost factors relative to the base
 student allocation for each funded program in s. 1011.62(1)(c).

Section 9. Subsection (2) of section 1010.30, Florida
 Statutes, is amended to read:

1010.30 Audits required.—

(2) If an audit contains a significant deficiency or

22-01165A-18

20181804

material weakness finding, the district school board, the Florida College System institution board of trustees, or the university board of trustees shall conduct an audit overview during a public meeting. The audit overview shall describe the corrective action to be taken and a timeline for completion of such action.

Section 10. Paragraph (a) of subsection (3) of section 1011.01, Florida Statutes, is amended to read:

1011.01 Budget system established.—

(3) (a) Each district school board and each Florida College System institution board of trustees shall prepare, adopt, and submit to the Commissioner of Education an annual operating budget. Operating budgets shall be prepared and submitted in accordance with the provisions of law, rules of the State Board of Education, the General Appropriations Act, and for district school boards in accordance with the provisions of s. 200.065 ~~ss. 200.065 and 1011.64.~~

Section 11. Subsection (2) of section 1011.03, Florida Statutes, is amended to read:

1011.03 Public hearings; budget to be submitted to Department of Education.—

~~(2) The advertisement of a district that has been required by the Legislature to increase classroom expenditures pursuant to s. 1011.64 must include the following statement: "This proposed budget reflects an increase in classroom expenditures as a percent of total current operating expenditures of XX percent over the (previous fiscal year) fiscal year. This increase in classroom expenditures is required by the Legislature because the district has performed below the~~

22-01165A-18

20181804

~~required performance standard on XX of XX student performance standards for the (previous school year) school year. In order to achieve the legislatively required level of classroom expenditures as a percentage of total operating expenditures, the proposed budget includes an increase in overall classroom expenditures of \$XX,XXX,XXX above the amount spent for this same purpose during the (previous fiscal year) fiscal year. In order to achieve improved student academic performance, this proposed increase is being budgeted for the following activities: ... (list activities and amount budgeted)...."~~

Section 12. Subsection (2) of section 1011.035, Florida Statutes, is amended, and paragraph (d) is added to subsection (4) of that section, to read:

1011.035 School district fiscal budget transparency.—

(2) Each district school board shall post on its website a plain language version of each proposed, tentative, and official budget which describes each budget item in terms that are easily understandable to the public and includes graphical representations, for each public school within the district and for the school district, of the following:

(a) Summary financial efficiency data.

(b) Fiscal trend information for the previous 3 years on:

1. The ratio of full-time equivalent students to full-time equivalent instructional personnel.

2. The ratio of full-time equivalent students to full-time equivalent administrative personnel.

3. The total operating expenditures per full-time equivalent student.

4. The total instructional expenditures per full-time

22-01165A-18 20181804__

407 equivalent student.

408 5. The general administrative expenditures as a percentage

409 of the total budget.

410 6. The rate of change in the general fund's ending fund

411 balance not classified as restricted.

412

413 This information must be prominently posted on the school

414 district's website in a manner that is readily accessible to the

415 public.

416 (4) The website should contain links to:

417 (d) The web-based fiscal transparency tool developed by the

418 department pursuant to s. 1010.20 to enable taxpayers to

419 evaluate the financial efficiency of the school district and

420 compare the financial efficiency of the school district with

421 other similarly situated school districts.

422 Section 13. Subsections (1) and (2) of section 1011.051,

423 Florida Statutes, are amended to read:

424 1011.051 Guidelines for general funds.—The district school

425 board shall maintain a general fund ending fund balance that is

426 sufficient to address normal contingencies.

427 (1) If at any time the portion of the general fund's ending

428 fund balance not classified as restricted, committed, or

429 nonspendable in the district's approved operating budget is

430 projected to fall below 3 percent of projected general fund

431 revenues during the current fiscal year, the superintendent

432 shall provide written notification to the district school board

433 and the Commissioner of Education. If such financial condition

434 exists for 2 consecutive fiscal years, the superintendent shall

435 reduce the district's administration expenditures reported

22-01165A-18 20181804__

436 pursuant to s. 1010.215(4) (a) in proportion to the reduction in

437 the general fund's ending balance or the reduction in student

438 enrollment, whichever is greater.

439 (2) (a) If at any time the portion of the general fund's

440 ending fund balance not classified as restricted, committed, or

441 nonspendable in the district's approved operating budget is

442 projected to fall below 2 percent of projected general fund

443 revenues during the current fiscal year, the superintendent

444 shall provide written notification to the district school board

445 and the Commissioner of Education. Within 14 days after

446 receiving such notification, if the commissioner determines that

447 the district does not have a plan that is reasonably anticipated

448 to avoid a financial emergency as determined pursuant to s.

449 218.503, the commissioner shall appoint a financial emergency

450 board that shall operate under the requirements, powers, and

451 duties specified in s. 218.503(3) (g).

452 (b) If any of the conditions identified in s. 218.503(1)

453 existed in the 2015-2016 school year or thereafter, the

454 department shall contract with an independent third party to

455 conduct a forensic audit of all accounts and records which shall

456 include a financial solvency analysis that encompasses

457 techniques to prevent and detect fraud, waste, and abuse. The

458 forensic audit must also collect evidence to determine if any of

459 the conditions identified in s. 1011.10 have occurred. The

460 results of the forensic audit shall be provided to the district

461 school board, the department, the Legislative Auditing

462 Committee, and the district's financial emergency board, if

463 applicable.

464 Section 14. Subsection (2) of section 1011.06, Florida

22-01165A-18

20181804__

Statutes, is amended to read:

1011.06 Expenditures.—

(2) EXPENDITURES FROM DISTRICT AND OTHER FUNDS.—

Expenditures from district and all other funds available for the public school program of any district shall be authorized by law and must be in accordance with procedures prescribed by the district school board. A district school board may establish policies that allow expenditures to exceed the amount budgeted by function and object, provided that the district school board complies with s. 1011.09(4) and approves the expenditure by amending and amends the budget at the next scheduled public meeting. The district school board must provide a full explanation of any amendments at the public meeting within timelines established by school board policies.

Section 15. Subsection (4) of section 1011.09, Florida Statutes, is amended to read:

1011.09 Expenditure of funds by district school board.—All state funds apportioned to the credit of any district constitute a part of the district school fund of that district and must be budgeted and expended under authority of the district school board subject to the provisions of law and rules of the State Board of Education.

(4) If the financial conditions in s. 1011.051 exist, a district school board During the 2009-2010 fiscal year, unless otherwise specifically approved by the district school board, public funds may not make expenditures be expended for out-of-state travel outside of the district or cellular phones, cellular phone service, personal digital assistants, or any other mobile wireless communication device or service, including

22-01165A-18

20181804__

text messaging, whether through purchasing, leasing, contracting, or any other method, while the financial conditions in s. 1011.051 exist. The expenditure of public funds for art programs, music programs, sports programs, and extracurricular programs for students is a higher priority than expending funds for employee travel and cellular phones.

Section 16. Subsection (3) is added to section 1011.10, Florida Statutes, to read:

1011.10 Penalty.—

(3) If any of the conditions identified in s. 218.503(1) exist within a school district, the salary of each district school board member and district superintendent, calculated pursuant to ss. 1001.395 and 1001.47, shall be withheld until the conditions are corrected.

Section 17. Subsection (8) of section 1011.60, Florida Statutes, is amended to read:

1011.60 Minimum requirements of the Florida Education Finance Program.—Each district which participates in the state appropriations for the Florida Education Finance Program shall provide evidence of its effort to maintain an adequate school program throughout the district and shall meet at least the following requirements:

~~(8) MINIMUM CLASSROOM EXPENDITURE REQUIREMENTS.—Comply with the minimum classroom expenditure requirements and associated reporting pursuant to s. 1011.64.~~

Section 18. Section 1011.64, Florida Statutes, is repealed.

Section 19. Subsection (2) of section 1012.23, Florida Statutes, is amended to read:

1012.23 School district personnel policies.—

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20181804__

523 (2) Neither the district school superintendent nor a
524 district school board member may appoint or ~~not~~ employ ~~or~~
525 ~~appoint~~ a relative, as defined in s. 112.3135, to work under the
526 direct supervision of that district school board member or
527 district school superintendent. The limitations of this
528 subsection do not apply to employees appointed or employed
529 before the election or appointment of a school board member or
530 district school superintendent. The Commission on Ethics shall
531 accept and investigate any alleged violations of this section
532 pursuant to the procedures contained in ss. 112.322-112.3241.
533 Section 20. This act shall take effect July 1, 2018.



419978

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
02/20/2018	.	
	.	
	.	
	.	

The Committee on Education (Stargel) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (k) of subsection (2) of section
11.45, Florida Statutes, is redesignated as paragraph (l), and a
new paragraph (k) is added to that subsection, to read:

11.45 Definitions; duties; authorities; reports; rules.—

(2) DUTIES.—The Auditor General shall:

(k) Contact each district school board, as defined in s.
1003.01(1), with the findings and recommendations contained



419978

within the Auditor General's previous operational audit report.
The district school board shall provide the Auditor General with
evidence of the initiation of corrective action within 45 days
after the date it is requested by the Auditor General and
evidence of completion of corrective action within 180 days
after the date it is requested by the Auditor General. If the
district school board fails to comply with the Auditor General's
request or is unable to take corrective action within the
required timeframe, the Auditor General shall notify the
Legislative Auditing Committee.

The Auditor General shall perform his or her duties
independently but under the general policies established by the
Legislative Auditing Committee. This subsection does not limit
the Auditor General's discretionary authority to conduct other
audits or engagements of governmental entities as authorized in
subsection (3).

Section 2. Subsection (14) of section 112.313, Florida
Statutes, is amended to read:

112.313 Standards of conduct for public officers, employees
of agencies, and local government attorneys.—

(14) LOBBYING BY FORMER LOCAL OFFICERS; PROHIBITION.—A
person who has been elected to any county, municipal, special
district, or school district office or appointed superintendent
of a school district may not personally represent another person
or entity for compensation before the government body or agency
of which the person was an officer for a period of 2 years after
vacating that office. For purposes of this subsection:

(a) The "government body or agency" of a member of a board



419978

of county commissioners consists of the commission, the chief administrative officer or employee of the county, and their immediate support staff.

(b) The "government body or agency" of any other county elected officer is the office or department headed by that officer, including all subordinate employees.

(c) The "government body or agency" of an elected municipal officer consists of the governing body of the municipality, the chief administrative officer or employee of the municipality, and their immediate support staff.

(d) The "government body or agency" of an elected special district officer is the special district.

(e) The "government body or agency" of an elected school district officer is the school district.

Section 3. Subsection (1) of section 112.31455, Florida Statutes, is amended to read:

112.31455 Collection methods for unpaid automatic fines for failure to timely file disclosure of financial interests.—

(1) Before referring any unpaid fine accrued pursuant to s. 112.3144(5) or s. 112.3145(7) to the Department of Financial Services, the commission shall attempt to determine whether the individual owing such a fine is a current public officer or current public employee. If so, the commission may notify the Chief Financial Officer or the governing body of the appropriate county, municipality, district school board, or special district of the total amount of any fine owed to the commission by such individual.

(a) After receipt and verification of the notice from the commission, the Chief Financial Officer or the governing body of



419978

the county, municipality, district school board, or special district shall begin withholding the lesser of 10 percent or the maximum amount allowed under federal law from any salary-related payment. The withheld payments shall be remitted to the commission until the fine is satisfied.

(b) The Chief Financial Officer or the governing body of the county, municipality, district school board, or special district may retain an amount of each withheld payment, as provided in s. 77.0305, to cover the administrative costs incurred under this section.

Section 4. Paragraph (e) of subsection (4) of section 1001.20, Florida Statutes, is amended to read:

1001.20 Department under direction of state board.—

(4) The Department of Education shall establish the following offices within the Office of the Commissioner of Education which shall coordinate their activities with all other divisions and offices:

(e) *Office of Inspector General*.—Organized using existing resources and funds and responsible for promoting accountability, efficiency, and effectiveness and detecting fraud and abuse within school districts, the Florida School for the Deaf and the Blind, and Florida College System institutions in Florida. If the Commissioner of Education determines that a district school board, the Board of Trustees for the Florida School for the Deaf and the Blind, or a Florida College System institution board of trustees is unwilling or unable to address substantiated allegations made by any person relating to waste, fraud, or financial mismanagement within the school district, the Florida School for the Deaf and the Blind, or the Florida



419978

College System institution, the office shall conduct, coordinate, or request investigations into such substantiated allegations. The office shall investigate allegations or reports of possible fraud or abuse against a district school board made by any member of the Cabinet; the presiding officer of either house of the Legislature; a chair of a substantive or appropriations committee with jurisdiction; or a member of the board for which an investigation is sought. The office shall have access to all information and personnel necessary to perform its duties and shall have all of its current powers, duties, and responsibilities authorized in s. 20.055.

Section 5. Subsection (1) of section 1001.39, Florida Statutes, is amended to read:

1001.39 District school board members; travel expenses.—

(1) In addition to the salary provided in s. 1001.395, each member of a district school board shall be allowed, from the district school fund, reimbursement of travel expenses as authorized in s. 112.061, ~~except as provided that in subsection (2).~~ any travel outside the district that exceeds \$500 requires prior approval by the district school board to confirm that such travel is for official business of the school district and complies with ~~shall also be governed by the~~ rules of the State Board of Education. Any request for travel outside the state must include an itemized list detailing all anticipated travel expenses, including, but not limited to, the anticipated costs of all means of travel, lodging, and subsistence. Immediately preceding a request, the public must have an opportunity to speak on the specific travel agenda item.

Section 6. Subsection (3) of section 1001.395, Florida



419978

Statutes, is amended to read:

1001.395 District school board members; compensation.—

(3) Notwithstanding the provisions of this section and s. 145.19, ~~for the 2010-2011 fiscal year,~~ the salary of each district school board member shall be the amount calculated pursuant to subsection (1) or the district's beginning salary for teachers who hold baccalaureate degrees, whichever is less.

Section 7. Subsections (6) and (7), paragraphs (b) and (1) of subsection (12), and paragraph (b) of subsection (17) of section 1001.42, Florida Statutes, are amended to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(6) STANDARDS OF ETHICAL CONDUCT FOR INSTRUCTIONAL PERSONNEL, ADMINISTRATIVE PERSONNEL, AND SCHOOL OFFICERS ~~ADMINISTRATORS~~.—Adopt policies establishing standards of ethical conduct for instructional personnel, administrative personnel, and school officers administrators. The policies must require all instructional personnel, administrative personnel, and school officers administrators, as defined in s. 1012.01, to complete training on the standards; establish the duty of instructional personnel, administrative personnel, and school officers administrators to report, and procedures for reporting, alleged misconduct by other instructional or administrative personnel and school officers administrators which affects the health, safety, or welfare of a student; and include an explanation of the liability protections provided under ss. 39.203 and 768.095. A district school board, or any of its employees, may not enter into a confidentiality agreement



419978

regarding terminated or dismissed instructional or
administrative personnel or school officers ~~administrators, or~~
~~personnel or administrators~~ who resign in lieu of termination,
based in whole or in part on misconduct that affects the health,
safety, or welfare of a student, and may not provide
instructional personnel, administrative personnel, or school
officers ~~administrators~~ with employment references or discuss
the personnel's or officers' ~~administrators'~~ performance with
prospective employers in another educational setting, without
disclosing the personnel's or officers' ~~administrators'~~
misconduct. Any part of an agreement or contract that has the
purpose or effect of concealing misconduct by instructional
personnel, administrative personnel, or school officers
~~administrators~~ which affects the health, safety, or welfare of a
student is void, is contrary to public policy, and may not be
enforced.

(7) DISQUALIFICATION FROM EMPLOYMENT.—Disqualify
instructional personnel and administrative personnel ~~school~~
~~administrators~~, as defined in s. 1012.01, from employment in any
position that requires direct contact with students if the
personnel ~~or administrators~~ are ineligible for such employment
under s. 1012.315. An elected or appointed school board official
forfeits his or her salary for 1 year if:

(a) The school board official knowingly signs and transmits
to any state official a report of alleged misconduct by
instructional personnel or administrative personnel ~~school~~
~~administrators~~ which affects the health, safety, or welfare of a
student and the school board official knows the report to be
false or incorrect; or



419978

(b) The school board official knowingly fails to adopt policies that require instructional personnel and administrative personnel ~~school administrators~~ to report alleged misconduct by other instructional personnel and administrative personnel ~~school administrators~~, or that require the investigation of all reports of alleged misconduct by instructional personnel and administrative personnel ~~school administrators~~, if the misconduct affects the health, safety, or welfare of a student.

(12) FINANCE.—Take steps to assure students adequate educational facilities through the financial procedure authorized in chapters 1010 and 1011 and as prescribed below:

(b) *Annual budget.*—

1. Cause to be prepared, adopt, and have submitted to the Department of Education as required by law and rules of the State Board of Education, the annual school budget, such budget to be so prepared and executed as to promote the improvement of the district school system.

2. An individual school board member may request and shall receive any proposed, tentative, and official budget documents, including all supporting and background information.

(1) Internal auditor.—May or, in the case of a school district receiving annual federal, state, and local funds in excess of \$500 million, shall employ an internal auditor. The duties of the internal auditor shall include oversight of every functional and program area of the school system.

1. The internal auditor shall ~~to~~ perform ongoing financial verification of the financial records of the school district, a comprehensive risk assessment of all areas of the school system every 5 years, and other audits and reviews as the district



419978

school board directs for determining:

a. The adequacy of internal controls designed to prevent and detect fraud, waste, and abuse.

b. Compliance with applicable laws, rules, contracts, grant agreements, district school board-approved policies, and best practices.

c. The efficiency of operations.

d. The reliability of financial records and reports.

e. The safeguarding of assets.

f. Financial solvency.

g. Projected revenues and expenditures.

h. The rate of change in the general fund balance.

2. The internal auditor shall prepare audit reports of his or her findings and report directly to the district school board or its designee.

3. Any person responsible for furnishing or producing any book, record, paper, document, data, or sufficient information necessary to conduct a proper audit or examination which the internal auditor is by law authorized to perform is subject to the provisions of s. 11.47(3) and (4).

(17) PUBLIC INFORMATION AND PARENTAL INVOLVEMENT PROGRAM.—

(b) Adopt rules to strengthen family involvement and empowerment pursuant to s. 1002.23. The rules shall be developed in collaboration with administrative personnel ~~school administrators~~, parents, teachers, and community partners.

Section 8. Subsection (2) of section 1010.20, Florida Statutes, is amended to read:

1010.20 Cost accounting and reporting for school districts.—



419978

(2) COST REPORTING.—

(a) Each district shall report on a district-aggregate basis expenditures for inservice training pursuant to s. 1011.62(3) and for categorical programs as provided in s. 1011.62(6).

(b) Each district shall report to the department on a school-by-school and on an aggregate district basis expenditures for:

1. Each program funded in s. 1011.62(1)(c).

2. Total operating costs as reported pursuant to s. 1010.215.

3. Expenditures for classroom instruction pursuant to the calculation in s. 1010.215(4)(b)1. and 2.

(c) The department shall:

1. Categorize all public schools and districts into appropriate groups based primarily on average full-time equivalent student enrollment as reported on the most recent student membership survey under s. 1011.62 and in state board rule to determine groups of peer schools and districts.

2. Annually calculate for each public school, district, and for the entire state, the percentage of classroom expenditures to total operating costs expenditures reported in subparagraphs (b)2. and 3. The results shall be categorized pursuant to this paragraph.

3. Annually calculate for all public schools, districts, and the state, the average percentage of classroom expenditures to total operating costs and expenditures reported in subparagraphs (b)2. and 3. The results shall be categorized pursuant to this paragraph.



419978

4. Develop a web-based fiscal transparency tool that identifies public schools and districts that produce high academic achievement based on the ratio of classroom instruction expenditures to total expenditures. The fiscal transparency tool shall combine the data calculated pursuant to this paragraph with the student performance measurements calculated pursuant to s. 1012.34(7) to determine the financial efficiency of each public school and district. The results shall be displayed in an easy-to-use format that enables the user to compare performance among public schools and districts.

(d)~~(e)~~ The Commissioner of Education shall present to the Legislature, prior to the opening of the regular session each year, a district-by-district report of the expenditures reported pursuant to paragraphs (a) and (b). The report shall include total expenditures, a detailed analysis showing expenditures for each program, and such other data as may be useful for management of the education system. The Commissioner of Education shall also compute cost factors relative to the base student allocation for each funded program in s. 1011.62(1)(c).

Section 9. Subsection (2) of section 1010.30, Florida Statutes, is amended to read:

1010.30 Audits required.—

(2) If an audit contains a significant deficiency or material weakness ~~finding~~, the district school board, the Florida College System institution board of trustees, or the university board of trustees shall conduct an audit overview during a public meeting. The audit overview shall describe the corrective action to be taken and a timeline for completion of such action.



419978

Section 10. Paragraph (a) of subsection (3) of section 1011.01, Florida Statutes, is amended to read:

1011.01 Budget system established.—

(3)(a) Each district school board and each Florida College System institution board of trustees shall prepare, adopt, and submit to the Commissioner of Education an annual operating budget. Operating budgets shall be prepared and submitted in accordance with the provisions of law, rules of the State Board of Education, the General Appropriations Act, and for district school boards in accordance with the provisions of s. 200.065 ~~ss. 200.065 and 1011.64~~.

Section 11. Subsection (2) of section 1011.03, Florida Statutes, is amended to read:

1011.03 Public hearings; budget to be submitted to Department of Education.—

~~(2) The advertisement of a district that has been required by the Legislature to increase classroom expenditures pursuant to s. 1011.64 must include the following statement:~~
~~"This proposed budget reflects an increase in classroom expenditures as a percent of total current operating expenditures of XX percent over the (previous fiscal year) fiscal year. This increase in classroom expenditures is required by the Legislature because the district has performed below the required performance standard on XX of XX student performance standards for the (previous school year) school year. In order to achieve the legislatively required level of classroom expenditures as a percentage of total operating expenditures, the proposed budget includes an increase in overall classroom expenditures of \$XX,XXX,XXX above the amount spent for this same~~



419978

~~purpose during the (previous fiscal year) fiscal year. In order to achieve improved student academic performance, this proposed increase is being budgeted for the following activities: ... (list activities and amount budgeted)"~~

Section 12. Section 1011.035, Florida Statutes, is amended to read:

1011.035 School district fiscal ~~budget~~ transparency.-

(1) It is important for school districts to provide budgetary transparency to enable taxpayers, parents, and education advocates to obtain school district budget and related information in a manner that is simply explained and easily understandable. Budgetary transparency leads to more responsible spending, more citizen involvement, and improved accountability. A budget that is not transparent, accessible, and accurate cannot be properly analyzed, its implementation thoroughly monitored, or its outcomes evaluated.

(2) Each district school board shall post on its website a plain language version of each proposed, tentative, and official budget which describes each budget item in terms that are easily understandable to the public and includes:

(a) Graphical representations, for each public school within the district and for the school district, of the following:

1. Summary financial efficiency data.

2. Fiscal trend information for the previous 3 years on:

a. The ratio of full-time equivalent students to full-time equivalent instructional personnel.

b. The ratio of full-time equivalent students to full-time equivalent administrative personnel.



419978

c. The total operating expenditures per full-time
equivalent student.

d. The total instructional expenditures per full-time
equivalent student.

e. The general administrative expenditures as a percentage
of total budget.

f. The rate of change in the general fund's ending fund
balance not classified as restricted.

(b) A link to the web-based fiscal transparency tool
developed by the department pursuant to s. 1010.20 to enable
taxpayers to evaluate the financial efficiency of the school
district and compare the financial efficiency of the school
district with other similarly situated school districts.

This information must be prominently posted on the school
district's website in a manner that is readily accessible to the
public.

(3) Each district school board is encouraged to post the
following information on its website:

(a) Timely information as to when a budget hearing will be
conducted.

(b) Each contract between the district school board and the
teachers' union.

(c) Each contract between the district school board and
noninstructional staff.

(d) Each contract exceeding \$35,000 between the school
board and a vendor of services, supplies, or programs or for the
purchase or lease of lands, facilities, or properties.

(e) Each contract exceeding \$35,000 that is an emergency



419978

procurement or is with a single source as authorized under s.
287.057(3).

(f) Recommendations of the citizens' budget advisory
committee.

(g) Current and archived video recordings of each district
school board meeting and workshop.

(4) The website should contain links to:

(a) Help explain or provide background information on
various budget items that are required by state or federal law.

(b) Allow users to navigate to related sites to view
supporting details.

(c) Enable taxpayers, parents, and education advocates to
send e-mails asking questions about the budget and enable others
to view the questions and responses.

Section 13. Section 1011.051, Florida Statutes, is amended
to read:

1011.051 Guidelines for general funds.—The district school
board shall maintain a general fund ending fund balance that is
sufficient to address normal contingencies.

(1) If at any time the portion of the general fund's ending
fund balance not classified as restricted, committed, or
nonspendable in the district's approved operating budget is
projected to fall below 3 percent of projected general fund
revenues during the current fiscal year, the superintendent
shall provide written notification to the district school board
and the Commissioner of Education. If such financial condition
exists for 2 consecutive fiscal years, the superintendent shall
reduce the district's administrative expenditures reported
pursuant to s. 1010.215(4)(a) in proportion to the reduction in



419978

the general fund's ending balance or the reduction in student enrollment, whichever is greater.

(2)(a) If at any time the portion of the general fund's ending fund balance not classified as restricted, committed, or nonspendable in the district's approved operating budget is projected to fall below 2 percent of projected general fund revenues during the current fiscal year, the superintendent shall provide written notification to the district school board and the Commissioner of Education. Within 14 days after receiving such notification, if the commissioner determines that the district does not have a plan that is reasonably anticipated to avoid a financial emergency as determined pursuant to s. 218.503, the commissioner shall appoint a financial emergency board that shall operate under the requirements, powers, and duties specified in s. 218.503(3)(g).

(b) If any of the conditions identified in s. 218.503(1) existed in the 2015-2016 school year or thereafter, the department shall contract with an independent third party to conduct an investigation of all accounts and records to determine the cause of the deficit, what efforts, if any, were made to avoid the deficit, and whether any of the conditions identified in s. 1011.10 have occurred. The investigation must include a detailed review and analysis of documents and records, including, but not limited to, budget reports, journal entries, budget methodologies, staff e-mails, hard copy records, monthly financial statements, quarterly revenue and expenditure reports, finance staff job descriptions, and minutes from meetings. The results of the investigation must include recommendations for corrective action and controls to avoid a reoccurrence of a



419978

future budget shortfall. A final report shall be provided to the district school board, the department, the Legislative Auditing Committee, and the district's financial emergency board, if applicable.

Section 14. Subsection (2) of section 1011.06, Florida Statutes, is amended to read:

1011.06 Expenditures.—

(2) EXPENDITURES FROM DISTRICT AND OTHER FUNDS.—

Expenditures from district and all other funds available for the public school program of any district shall be authorized by law and must be in accordance with procedures prescribed by the district school board. A district school board may establish policies that allow expenditures to exceed the amount budgeted by function and object, provided that the district school board complies with s. 1011.09(4) and approves the expenditure by amending and amends the budget at the next scheduled public meeting. The district school board must provide a full explanation of any amendments at the public meeting within timelines established by school board policies.

Section 15. Subsection (4) of section 1011.09, Florida Statutes, is amended to read:

1011.09 Expenditure of funds by district school board.—All state funds apportioned to the credit of any district constitute a part of the district school fund of that district and must be budgeted and expended under authority of the district school board subject to the provisions of law and rules of the State Board of Education.

(4) If the financial conditions in s. 1011.051 exist, a district school board ~~During the 2009-2010 fiscal year, unless~~



419978

~~otherwise specifically approved by the district school board,~~
~~public funds~~ may not make expenditures ~~be expended~~ for ~~out-of-~~
~~state~~ travel outside of the district or cellular phones,
cellular phone service, personal digital assistants, or any
other mobile wireless communication device or service, including
text messaging, whether through purchasing, leasing,
contracting, or any other method, while the financial conditions
exist. The expenditure of public funds for art programs, music
programs, sports programs, and extracurricular programs for
students is a higher priority than expending funds for employee
travel and cellular phones.

Section 16. Subsection (3) is added to section 1011.10,
Florida Statutes, to read:

1011.10 Penalty.—

(3) If any of the conditions identified in s. 218.503(1)
exist within a school district, the salary of each district
school board member and district superintendent, calculated
pursuant to ss. 1001.395 and 1001.47, shall be withheld until
the conditions are corrected. This subsection does not apply to
a district school board member or district superintendent
elected or appointed within 1 year after the identification of
the conditions in s. 218.503(1) if he or she did not participate
in the approval or preparation of the final school district
budget adopted before the identification of such conditions.

Section 17. Subsection (8) of section 1011.60, Florida
Statutes, is amended to read:

1011.60 Minimum requirements of the Florida Education
Finance Program.—Each district which participates in the state
appropriations for the Florida Education Finance Program shall



419978

provide evidence of its effort to maintain an adequate school program throughout the district and shall meet at least the following requirements:

~~(8) MINIMUM CLASSROOM EXPENDITURE REQUIREMENTS. Comply with the minimum classroom expenditure requirements and associated reporting pursuant to s. 1011.64.~~

Section 18. Section 1011.64, Florida Statutes, is repealed.

Section 19. Subsection (2) of section 1012.23, Florida Statutes, is amended to read:

1012.23 School district personnel policies.—

(2) The district school superintendent or a district school board member may not appoint or employ or appoint a relative, as defined in s. 112.3135, to work under the direct supervision of that district school board member or district school superintendent. The limitations of this subsection do not apply to employees appointed or employed before the election or appointment of a school board member or district school superintendent. The Commission on Ethics shall accept and investigate any alleged violations of this section pursuant to the procedures contained in ss. 112.322-112.3241.

Section 20. Paragraph (d) of subsection (9) of section 1002.395, Florida Statutes, is amended to read:

1002.395 Florida Tax Credit Scholarship Program.—

(9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of Education shall:

(d) Annually verify the eligibility of expenditures as provided in paragraph (6) (d) using the audit required by paragraph (6) (m) and s. 11.45(2)(l) ~~s. 11.45(2)(k)~~.

Section 21. For the 2018-2019 fiscal year, the sum of



419978

\$850,000 in nonrecurring funds from the General Revenue Fund is appropriated to the Department of Education to implement the provisions of this act.

Section 22. This act shall take effect July 1, 2018.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to school district accountability;
amending s. 11.45, F.S.; revising the duties of the
Auditor General; amending s. 112.313, F.S.;
prohibiting former appointed district school
superintendents from conducting certain lobbying
activities; amending s. 112.31455, F.S.; requiring the
governing body of a district school board to be
notified if an officer or employee of the body owes a
certain fine; requiring the governing body of a
district school board to take specified actions under
such circumstances; amending s. 1001.20, F.S.;
requiring the Office of Inspector General to
investigate certain allegations and reports made by
specified individuals; amending s. 1001.39, F.S.;
requiring certain district school board member travel
outside of the school district to be preapproved and
meet certain criteria; providing requirements for a
school board member's request for travel outside of
the state; providing an opportunity for the public to



419978

563 speak on such travel; amending s. 1001.395, F.S.;
564 providing that certain requirements for the salaries
565 of district school board members apply every fiscal
566 year, rather than one specific fiscal year; amending
567 s. 1001.42, F.S.; providing that the standards of
568 ethical conduct apply to administrative personnel and
569 school officers; authorizing district school board
570 members to request and receive specified budget
571 information; requiring employment of internal auditors
572 in certain school districts; revising provisions
573 relating to the duties of such internal auditors;
574 amending s. 1010.20, F.S.; requiring each school
575 district to report certain expenditures to the
576 Department of Education; providing department
577 responsibilities; amending s. 1010.30, F.S.; requiring
578 certain entities to provide an audit overview under
579 certain circumstances; providing the contents of the
580 overview; amending ss. 1011.01 and 1011.03, F.S.;
581 conforming cross-references; amending s. 1011.035,
582 F.S.; requiring each district school board to post on
583 its website certain graphical representations and a
584 link to a certain web-based tool on the department's
585 website; providing requirements for such graphical
586 representations; amending s. 1011.051, F.S.; requiring
587 a district school board to limit certain expenditures
588 by a specified amount if certain financial conditions
589 exist for a specified period of time; requiring the
590 department to contract with a third party to conduct
591 an investigation under certain circumstances;



419978

providing requirements for such investigation;
requiring the results of such investigation to include
certain information and be provided to certain
entities; amending s. 1011.06, F.S.; requiring each
district school board to approve certain expenditures
by amending its budget and provide a public
explanation for such budget amendments; amending s.
1011.09, F.S.; providing certain expenditure
limitations for a school district that meets specified
criteria; amending s. 1011.10, F.S.; requiring certain
school districts to withhold certain district school
board member and school district superintendent
salaries until certain conditions are met; amending s.
1011.60, F.S.; conforming cross-references; repealing
s. 1011.64, F.S., relating to school district minimum
classroom expenditure requirements; amending s.
1012.23, F.S.; prohibiting a school district
superintendent and district school board from
appointing or employing certain individuals in certain
positions; providing an exception; requiring the
Commission on Ethics to investigate alleged
violations; amending s. 1002.395, F.S.; conforming a
cross-reference; providing a contingent appropriation;
providing an effective date.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date _____

1804
Bill Number (if applicable) _____

Topic SB1804

Amendment Barcode (if applicable) _____

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City State Zip

Email KE FLAUGH@me.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Citizens Alliance

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

20 Feb 18

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1804

Bill Number (if applicable)

Topic

School District Accountability

Amendment Barcode (if applicable)

Name

James Mosteller

Job Title

Advocacy Associate

Address

Street

Phone

City

State

Zip

Email

Speaking:

☒

For

☐

Against

☐

Information

Waive Speaking:

☒

In Support

☐

Against

(The Chair will read this information into the record.)

Representing

Foundation For Florida's Future

Appearing at request of Chair:

☐

Yes

☒

No

Lobbyist registered with Legislature:

☒

Yes

☐

No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

585

STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections

I, Ken Detzner, Secretary of State,
do hereby certify that

Marva Brown Johnson

is duly appointed a member of the

State Board of Education

for a term beginning on the Twelfth day of January, A.D., 2018,
until the Thirty-First day of December, A.D., 2021 and is subject
to be confirmed by the Senate during the next regular session of
the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Ninth day of February, A.D., 2018.*



Ken Detzner

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document



RICK SCOTT
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2018 JAN 19 PM 2:53
DIVISION OF ELECTIONS

January 12, 2018

Secretary Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following reappointment under the provisions of Section 1001.01, Florida Statutes:

Mrs. Marva Brown Johnson
2335 Tillman Avenue
Winter Garden, Florida 34787

as a member of the State Board of Education, subject to confirmation by the Senate. This appointment is effective January 12, 2018, for a term ending December 31, 2021.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/cr

OATH OF OFFICE

HAND DELIVERED

(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

18 FEB -9 AM 10:48

County of

Orange

DIVISION OF ELECTIONS
SECRETARY OF STATE

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Florida State Board of Education

(Title of Office)

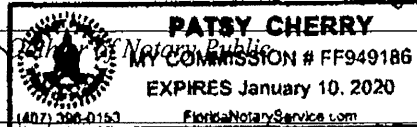
on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Marva Brown Johnson
Signature

Sworn to and subscribed before me this 8th day of February, 2018.

Patsy Cherry
Signature of Officer Administering Oath



Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☒ OR

Produced Identification ☐

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☐ Home ☒ Office

2251 Lucien Way

Street or Post Office Box

Maitland, Florida 32751

City, State, Zip Code

Marva Brown Johnson

Print name as you desire commission issued

Marva Brown Johnson
Signature

CERTIFICATION

STATE OF FLORIDA
COUNTY OF

Leon

Before me, the undersigned Notary Public of Florida, personally appeared

_____,
who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

Tara Kent Jackson
Signature of Applicant-Affiant

Sworn to and subscribed before me this 1st day of February, 2018.

Tara Kent Jackson
Signature of Notary Public-State of Florida

(Print, Type, or Stamp Commissioned Name of Notary Public)



My commission expires: _____

Personally Known ☐ OR Produced Identification ☒

Type of Identification Produced DL

(seal)

585

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

Michael H. Olenick

is duly appointed a member of the
State Board of Education

for a term beginning on the Second day of February, A.D., 2018,
until the Thirty-First day of December, A.D., 2020 and is subject
to be confirmed by the Senate during the next regular session of
the Legislature.



*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Sixth day of February, A.D., 2018.*

Ken Detzner

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

HAND DELIVERED



RICK SCOTT
GOVERNOR

RECEIVED
DEPARTMENT OF
2018 FEB -5 PM 1:42
FLORIDA STATE
DIVISION OF ELECTIONS

February 2, 2018

Secretary Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following reappointment under the provisions of Section 1001.01, Florida Statutes:

Mr. Michael Olenick
2215 Southwest Mayflower Drive
Palm City, Florida 34990

as a member of the State Board of Education, subject to confirmation by the Senate. This appointment is effective February 2, 2018, for a term ending December 31, 2020.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/cr

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

RECEIVED

STATE OF FLORIDA

18 FEB -6 PM 2:00

County of Martin

DIVISION OF ELECTIONS
SECRETARY OF STATE

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Member State Board of Education

(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

[Signature]
Signature

Sworn to and subscribed before me this 5 day of February, 2018

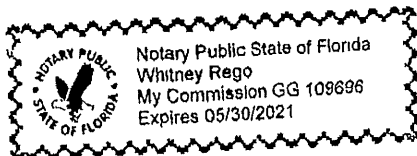
Whitney Rego
Signature of Officer Administering Oath or of Notary Public

Whitney Rego
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☐ OR

Produced Identification ☒

Type of Identification Produced FL DRIVER LICENSE



ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☒ Home ☐ Office

2215 SW Mayflower Dr

Street or Post Office Box

Palm City FL 34990

City, State, Zip Code

Michael H Olenick

Print Name

[Signature]
Signature

CERTIFICATION

STATE OF FLORIDA

COUNTY OF MARTIN

Before me, the undersigned Notary Public of Florida, personally appeared

MICHAEL OLEVICZ,

who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

[Signature]

Signature of Applicant-Affiant

Sworn to and subscribed before me this 5 day of February, 2018.

Whitney Rego

Signature of Notary Public-State of Florida

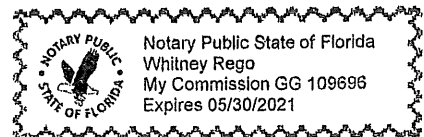
Whitney Rego

(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: 5/30/21

Personally Known ☐ OR Produced Identification ☒

Type of Identification Produced FL DRIVERS LICENSE



(seal)

585

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

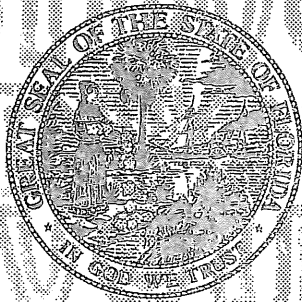
Andy Tuck

is duly appointed a member of the

State Board of Education

for a term beginning on the Twelfth day of January, A.D., 2018,
until the Thirty-First day of December, A.D., 2021 and is subject
to be confirmed by the Senate during the next regular session of
the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twenty-Ninth day of January, A.D., 2018*



Ken Detzner
Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.



RICK SCOTT
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2018 JAN 19 PM 2:53

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

January 12, 2018

Secretary Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following reappointment under the provisions of Section 1001.01, Florida Statutes:

Mr. Andy Tuck
1611 Sandwedge Court
Sebring, Florida 33872

as a member of the State Board of Education, subject to confirmation by the Senate. This appointment is effective January 12, 2018, for a term ending December 31, 2021.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/cr

OATH OF OFFICE

(Art. II. § 5(b), Fla. Const.)

STATE OF FLORIDA

County of

Highlands

RECEIVED
DEPARTMENT OF STATE
2018 JAN 25 AM 10:48
DIVISION OF ELECTIONS
TALLAHASSEE, FL

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Board Member - State Board of Education
(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

[Signature]
Signature

Sworn to and subscribed before me this 24 day of JAN, 2018.



MICHAEL ERIC CAVE
MY COMMISSION # GG 043152
EXPIRES: November 5, 2020
Bonded Thru Budget Notary Services

[Signature]

Signature of Officer Administering Oath or of Notary Public

MICHAEL ERIC CAVE

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☐ OR Produced Identification ☒

Type of Identification Produced FL DRIVER'S LICENSE

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☒ Home ☐ Office

1611 Seabreeze Ct
Street or Post Office Box

Sebring FL 33872
City, State, Zip Code

Andy Tuck
Print name as you desire commission issued

[Signature]
Signature

CERTIFICATION


STATE OF FLORIDA

COUNTY OF Highlands

Before me, the undersigned Notary Public of Florida, personally appeared

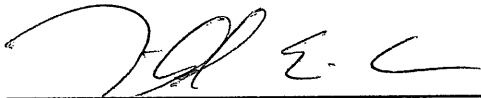
~~Richard Andrew Duck~~ RICHARD ANDREW DUCK,

who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.



Signature of Applicant-Affiant

Sworn to and subscribed before me this 24 day of JAN, 2018.



Signature of Notary Public-State of Florida



MICHAEL ERIC CAVE
MY COMMISSION # GG 043152
EXPIRES: November 5, 2020
Bonded Thru Budget Notary Services

MICHAEL ERIC CAVE

(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: 5 NOV. 2020

Personally Known ☐ OR Produced Identification ☒

Type of Identification Produced FL DRIVER'S LICENSE

(seal)

Amended
585

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

Joseph S. York

is duly appointed a member of the
State Board of Education

for a term beginning on the Twelfth day of January, A.D., 2018,
until the Thirty-First day of December, A.D., 2021 and is subject
to be confirmed by the Senate during the next regular session of
the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Fifth day of February, A.D., 2018.*

Ken Detzner

Secretary of State



RICK SCOTT
GOVERNOR

Amended

RECEIVED
DEPARTMENT OF STATE
2018 FEB -5 AM 9:22
DIVISION OF ELECTIONS
TALLAHASSEE, FL

February 1, 2018

Secretary Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have amended the following appointment under the provisions of Section 1001.01, Florida Statutes:

Mr. Joseph Spencer York
184 Lamplighter Lane
Ponte Vedra Beach, Florida 32082

as a member of the State Board of Education, succeeding Rebecca Fishman Lipsey, subject to confirmation by the Senate. This appointment is effective January 12, 2018, for a term ending December 31, 2021.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/cr

OATH OF OFFICE
(Art. II, § 5(b), Fla. Const.)

RECEIVED

18 JAN 24 PM 3:56

STATE OF FLORIDA

County of Duval

DIVISION OF ELECTIONS
SECRETARY OF STATE

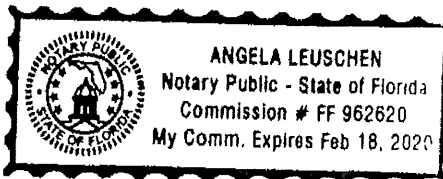
I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Florida State Board of Education

(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]



Signature

Sworn to and subscribed before me this 23 day of January, 2018.

Signature of Officer Administering Oath or of Notary Public

Angela Leuschen

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☐ Home ☒ Office

10375 Centurion Parkway N

Street or Post Office Box

Jacksonville, FL 32256

City, State, Zip Code

Joe S. York

Print name as your commission is issued

Signature

CERTIFICATION

STATE OF FLORIDA
COUNTY OF

Duval

Before me, the undersigned Notary Public of Florida, personally appeared

Joseph S. York

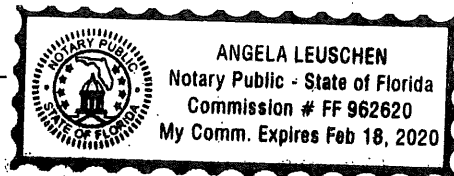
who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

[Signature]
Signature of Applicant-Affiant

Sworn to and subscribed before me this 23 day of January, 2018.

[Signature]

Signature of Notary Public-State of Florida



Angela Leuschen

(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: February 18, 2020

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

(seal)

960

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

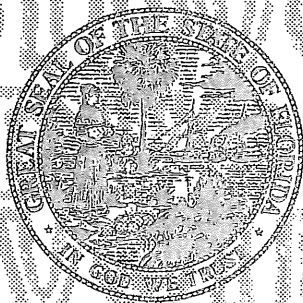
Timothy M. Cerio

is duly appointed a member of the

**Board of Governors of the State University
System**

for a term beginning on the Twenty-Seventh day of October,
A.D., 2017, until the Sixth day of January, A.D., 2024 and is
subject to be confirmed by the Senate during the next regular
session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twentieth day of December, A.D., 2017.*



Ken Detzner
Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document



RICK SCOTT
GOVERNOR

RECEIVED
17 NOV -8 AM 10:45
DIVISION OF ELECTIONS
SECRETARY OF STATE

October 27, 2017

Secretary Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following appointment under the provisions of Article IX, Sec. 7, FL Constitution:

Mr. Timothy M. Cerio
11412 Turkey Roost Road
Tallahassee, Florida 32317

as a member of the Board of Governors of the State University System, succeeding Richard A. Beard, subject to confirmation by the Senate. This appointment is effective October 27, 2017, for a term ending January 6, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/cr

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

County of Leon

RECEIVED
DEPARTMENT OF STATE
2017 DEC 19 AM 11:57
DIVISION OF ELECTIONS

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Governor, Florida Board of Governors

(Title of Office)

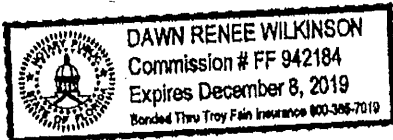
on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature

Sworn to and subscribed before me this 18th day of December, 2017.

Dawn R. Wilkinson
Signature of Officer Administering Oath or of Notary Public



Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☒ OR

Produced Identification ☐

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☐ Home ☒ Office

301 S. Bronough St., Ste 600

Street or Post Office Box

Tallahassee, FL 32301

City, State, Zip Code

Timothy M. Cerio

Print Name

Signature

CERTIFICATION

STATE OF FLORIDA

COUNTY OF Leon

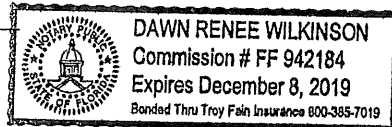
Before me, the undersigned Notary Public of Florida, personally appeared

Timothy M. Cerio,
who, after being duty sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.


Signature of Applicant-Affiant

Sworn to and subscribed before me this 18th day of December, 2017.

Dawn R. Wilkinson
Signature of Notary Public-State of Florida



Dawn R. Wilkinson
(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: 12/8/19

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

(seal)

960

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

Patricia Frost

is duly appointed a member of the

**Board of Governors of the State University
System**

for a term beginning on the Twenty-Seventh day of October,
A.D., 2017, until the Sixth day of January, A.D., 2024 and is
subject to be confirmed by the Senate during the next regular
session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Fifteenth day of December, A.D., 2017.*



Ken Detzner

Secretary of State



RICK SCOTT
GOVERNOR

RECEIVED
17 NOV -8 AM 10:45
DIVISION OF ELECTIONS
SECRETARY OF STATE

October 27, 2017

Secretary Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following reappointment under the provisions of Article IX, Sec. 7, FL Constitution:

Mrs. Patricia L. Frost
21 Star Island
Miami Beach, Florida 33139

as a member of the Board of Governors of the State University System, subject to confirmation by the Senate. This appointment is effective October 27, 2017, for a term ending January 6, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/cr

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

RECEIVED
DEPARTMENT OF STATE

17 DEC -8 AM 9:48

STATE OF FLORIDA

County of MIAMI - DADE

DIVISION OF ELECTIONS
TALLAHASSEE, FL

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

MEMBER - FLORIDA BOARD OF GOVERNORS OF THE STATE
(Title of Office) UNIVERSITY SYSTEM

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature

Sworn to and subscribed before me this 27 day of NOVEMBER 2017

Signature of Officer Administering Oath of



Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☒ OR

Produced Identification ☐

Type of Identification Produced

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☒ Home ☐ Office

21 STAR ISLAND

Street or Post Office Box

MIAMI BEACH, FL. 33139

City, State, Zip Code

Print Name

Signature

CERTIFICATION

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

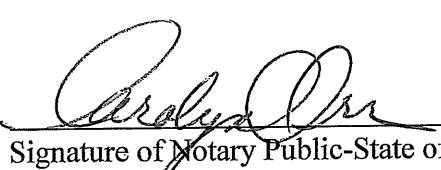
Before me, the undersigned Notary Public of Florida, personally appeared

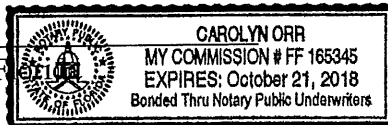
PATRICIA FROST

who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.


Signature of Applicant-Affiant

Sworn to and subscribed before me this 27 day of NOVEMBER, 2017.


Signature of Notary Public-State of Florida



(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: October 21, 2018

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced

(seal)

960

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

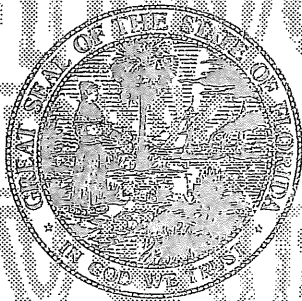
Ned C. Lautenbach

is duly appointed a member of the

**Board of Governors of the State University
System**

for a term beginning on the Twenty-Seventh day of October,
A.D., 2017, until the Sixth day of January, A.D., 2020 and is
subject to be confirmed by the Senate during the next regular
session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Sixth day of December, A.D., 2017.*



Ken Detzner

Secretary of State

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document

If photocopied or chemically altered, the word "VOID" will appear.



RICK SCOTT
GOVERNOR

RECEIVED
17 NOV -8 AM 10:45
DIVISION OF ELECTIONS
SECRETARY OF STATE

October 27, 2017

Secretary Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following appointment under the provisions of Article IX, Sec. 7, FL Constitution:

Mr. Ned C. Lautenbach
1801 Galleon Drive
Naples, Florida 34102

as a member of the Board of Governors of the State University System, filling a vacant seat, subject to confirmation by the Senate. This appointment is effective October 27, 2017, and ending January 6, 2020.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/cr

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

RECEIVED
DEPARTMENT OF STATE

2017 DEC -5 PM 4:15

FLORIDA STATE
DIVISION OF ELECTIONS

STATE OF FLORIDA

County of NAPLES, COCOSSETT COUNTY

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

WARD OF COCOSSETT COUNTY, FLORIDA
(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

[Signature]
Signature

Sworn to and subscribed before me this 24th day of November, 2017

[Signature]
Signature of Officer Administering Oath or of Notary Public

Rochelle Kinchen
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☐ OR Produced Identification ☒

Type of Identification Produced Florida Driver's



ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☒ Home ☐ Office

1801 GALLEON DRIVE
Street or Post Office Box

NAPLES, FL. 34102
City, State, Zip Code

NED P. LAUSENBACH
Print Name

[Signature]
Signature

CERTIFICATION

STATE OF FLORIDA

COUNTY OF CORAL GABLES

Before me, the undersigned Notary Public of Florida, personally appeared

NEO LAUTENBACH,
who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

Neo Lautenbach

Signature of Applicant-Affiant

Sworn to and subscribed before me this 30th day of November, 2017.

Rochelle Kinchen

Signature of Notary Public-State of Florida

Rochelle Kinchen

(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: 12/19/2020

Personally Known ☐ OR Produced Identification ☒

Type of Identification Produced FL Driver's License



960

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

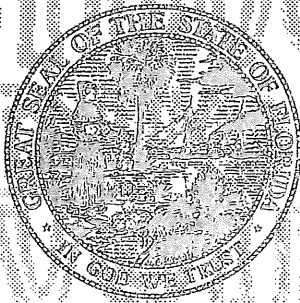
Jay Parakash Somabhai Patel

is duly appointed a member of the

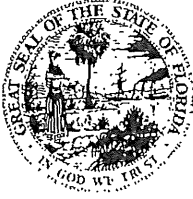
**Board of Governors of the State University
System**

for a term beginning on the Twenty-Seventh day of October,
A.D., 2017, until the Sixth day of January, A.D., 2019 and is
subject to be confirmed by the Senate during the next regular
session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twenty-Second day of December, A.D. 2017.*



Ken Detzner
Secretary of State



RICK SCOTT
GOVERNOR

RECEIVED
17 NOV -8 AM 10:45
DIVISION OF ELECTIONS
SECRETARY OF STATE

October 27, 2017

Secretary Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following appointment under the provisions of Article IX, Sec. 7, FL Constitution:

Mr. Jay Prakash Somabhai Patel
3020 Knotty Pine Drive
Pensacola, Florida, 32505

as a member of the Board of Governors of the State University System, succeeding Ned C. Lautenbach, subject to confirmation by the Senate. This appointment is effective October 27, 2017, and ending January 6, 2019

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/cr

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

County of Escambia

RECEIVED
17 DEC 22 AM 10:09
DIVISION OF ELECTIONS
SECRETARY OF STATE

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

FL SUS - Board Of Governors

(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Kendall Burton
Notary Public-State of Florida
Comm. Exp. October 1, 2020
Comm. Number- GG 26590

Signature

Sworn to and subscribed before me this 18th day of December, 2017.

Kendall Burton

Signature of Officer Administering Oath or of Notary Public

Kendall Burton

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☐ OR

Produced Identification ☒

Type of Identification Produced Florida Drivers License

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☒ Home ☐ Office

3020 Knotty Pine Drive

Street or Post Office Box

Pensacola, FL 32505

City, State, Zip Code

Jay Prakash S. Patel

Print Name

Signature

CERTIFICATION

STATE OF FLORIDA

COUNTY OF Escambia

Before me, the undersigned Notary Public of Florida, personally appeared

Jay Prakash Somabhai Patel,

who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.



Signature of Applicant-Affiant

Sworn to and subscribed before me this 18th day of December, 2017.



Signature of Notary Public-State of Florida

Signature of Notary Public-State of Florida



(Print, Type, or Stamp Commissioned Name of Notary Public)

(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: 10/1/2020

Personally Known ☐ OR Produced Identification ☒

Type of Identification Produced Florida Drivers License

Kendall Burton
Notary Public-State of Florida
Comm. Exp. October 1, 2020
Comm. Number- GG 26590

(seal)

960

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

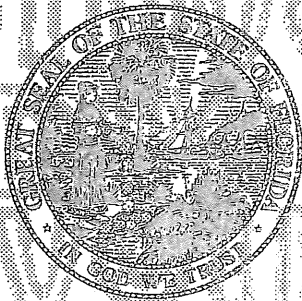
Zachariah P. Zachariah

is duly appointed a member of the

**Board of Governors of the State University
System**

for a term beginning on the Twenty-Seventh day of October,
A.D., 2017, until the Sixth day of January, A.D., 2019 and is
subject to be confirmed by the Senate during the next regular
session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Fifteenth day of December, A.D., 2017*



Ken Detzner

Secretary of State



RICK SCOTT
GOVERNOR

RECEIVED
17 NOV -8 AM 10:45
DIVISION OF ELECTIONS
SECRETARY OF STATE

October 27, 2017

Secretary Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following appointment under the provisions of Article IX, Sec. 7, FL Constitution:

Dr. Zachariah P. Zachariah
40 Seneca Road
Sea Ranch Lakes, Florida 33308

as a member of the Board of Governors of the State University System, filling a vacant seat, subject to confirmation by the Senate. This appointment is effective October 27, 2017, for a term ending January 6, 2019.

Sincerely,

A handwritten signature of Rick Scott in black ink.

Rick Scott
Governor

RS/cr

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

County of BROWARD

RECEIVED
DEPARTMENT OF STATE
17 DEC 11 AM 9:51
DIVISION OF ELECTIONS
TALLAHASSEE, FL

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Board of Governors of the State University System

(Title of Office)

on which I am now about to enter, so help me God.

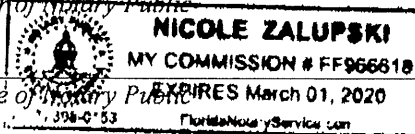
[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

[Signature]
Signature

Sworn to and subscribed before me this 27 day of November, 2017.

[Signature]
Signature of Officer Administering Oath or of Notary Public

Print, Type, or Stamp Commissioned Name of Notary Public



Personally Known ☒ OR

Produced Identification ☐

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☒ Home ☐ Office

40 Seneca Rd

Street or Post Office Box

Sea Ranch Lakes, FL, 33368

City, State, Zip Code

ZACHARIAH P. ZACHARIAH
Print Name

[Signature]
Signature

CERTIFICATION

STATE OF FLORIDA

COUNTY OF Broward

Before me, the undersigned Notary Public of Florida, personally appeared

ZACHARIAH D. ZACHARIAH,

who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

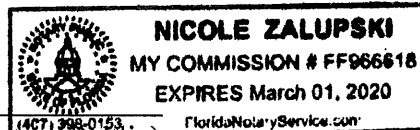


Signature of Applicant-Affiant

Sworn to and subscribed before me this 27th day of November, 2017.



Signature of Notary Public-State of Florida



(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: March 1-2020

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

(seal)

3005

A black and white copy of this document is not official

Amended

**STATE OF FLORIDA
DEPARTMENT OF STATE**

Division of Elections

I, Ken Detzner, Secretary of State,
do hereby certify that

Brad Levine

is duly appointed a member of the

**Board of Trustees,
Florida Atlantic University**

for a term beginning on the Twenty-Sixth day of January, A.D.,
2018, until the Sixth day of January, A.D., 2023 and is subject to
be confirmed by the Senate during the next regular session of the
Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Fifteenth day of February, A.D., 2018.*



Ken Detzner

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

HAND DELIVERED

Amended



RICK SCOTT
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2018 FEB 15 PM 2:08

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

February 14, 2018

Secretary Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have amended the following appointment under the provisions of Section 1001.71, Florida Statutes:

Mr. Bradley M. Levine
800 Hibiscus Street
Boca Raton, Florida 33486

as a member of the Board of Trustees, Florida Atlantic University, succeeding Daniel Eric Cane, subject to confirmation by the Senate. This appointment is effective January 26, 2018, for a term ending January 6, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott", written over a large, stylized flourish.

Rick Scott
Governor

RS/cr

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

RECEIVED
DEPARTMENT OF STATE

STATE OF FLORIDA

County of

Palm Beach

2018 FEB -7 AM 11:57

DIVISION OF ELECTIONS
TALLAHASSEE, FL

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Insteer: Florida Atlantic University
(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature

Sworn to and subscribed before me this

6th day of February, 2018

Signature of Officer Administering Oath or of Notary Public

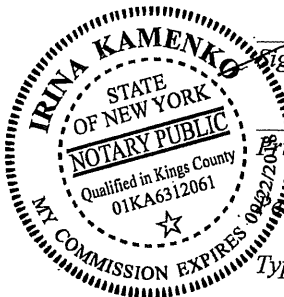
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☐ OR

Produced Identification ☒

Type of Identification Produced

FL Driver License



ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address:



Home



Office

800 H. Discus St.

Street or Post Office Box

Boca Raton FL 33486

City, State, Zip Code

Brad Lavine

Print Name

[Signature]

Signature

CERTIFICATION

STATE OF FLORIDA

COUNTY OF Palm Beach


Before me, the undersigned Notary Public of Florida, personally appeared _____,

who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.



Signature of Applicant-Affiant

Sworn to and subscribed before me this 27th day of January, 2018.



Signature of Notary Public-State of Florida

Desiree Rivera

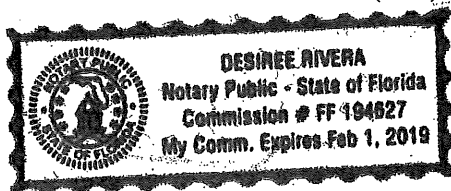
(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: Feb 1, 2019

Personally Known ☐ OR Produced Identification ☒

Type of Identification Produced Florida Driver License

(seal)



Amended
3005

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

Mary Beth McDonald

is duly appointed a member of the

**Board of Trustees,
Florida Atlantic University**

for a term beginning on the Twenty-Sixth day of January, A.D.,
2018, until the Sixth day of January, A.D., 2021 and is subject to
be confirmed by the Senate during the next regular session of the
Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Fifth day of February, A.D., 2018.*

Ken Detzner

Secretary of State





RICK SCOTT
GOVERNOR

Amended
RECEIVED
DEPARTMENT OF STATE
2018 FEB -5 AM 9:23
DIVISION OF ELECTIONS
TALLAHASSEE, FL

February 2, 2018

Secretary Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have amended the following reappointment under the provisions of Section 1001.71, Florida Statutes:

Mrs. Mary Beth McDonald
1011 Indian Mound Trail
Vero Beach, Florida 32963

as a member of the Board of Trustees, Florida Atlantic University, subject to confirmation by the Senate. This appointment is effective January 26, 2018, for a term ending January 6, 2021.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott", written over a large, stylized, dark ink flourish or scribble.

Rick Scott
Governor

RS/cr

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

RECEIVED
DEPARTMENT OF STATE

2018 JAN 30 AM 9:43

DIVISION OF ELECTIONS
TALLAHASSEE, FL

STATE OF FLORIDA

County of

Indian River

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Trustee - Florida Atlantic University
(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]



Signature

Mary Beth M'Donnell

Sworn to and subscribed before me this 29 day of January, 2018.

Signature of Officer Administering Oath or of Notary Public

James D. Romanek

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☐ OR Produced Identification ☒

Type of Identification Produced Drivers License

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☒ Home ☐ Office

1011 Indian Mandal Tr.
Street or Post Office Box

VERO Beach, FL 32963
City, State, Zip Code

Print Name

Signature

Mary Beth M'Donnell
Mary Beth M'Donnell

CERTIFICATION

STATE OF FLORIDA

COUNTY OF Indian River

Before me, the undersigned Notary Public of Florida, personally appeared

_____,
who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

Mary BD Mc
Signature of Applicant-Affiant

Sworn to and subscribed before me this 29th day of January, 2018.

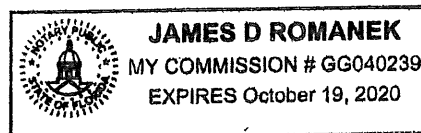
James D. Romanek
Signature of Notary Public-State of Florida

James D. Romanek
(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: OCT. 19, 2020

Personally Known ☐ OR Produced Identification ☒

Type of Identification Produced Drivers License



(seal)

Unrecorded

A black and white copy of this document is not official

3010

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

Digvijay Gaekwad

is duly appointed a member of the

**Board of Trustees,
University of Central Florida**

for a term beginning on the Second day of February, A.D., 2018,
until the Sixth day of January, A.D., 2023 and is subject to be
confirmed by the Senate during the next regular session of the
Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Thirteenth day of February, A.D., 2018.*



Ken Detzner

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

HAND DELIVERED



RICK SCOTT
GOVERNOR

RECEIVED
DEPARTMENT OF STATE

2018 FEB -5 PM 1:41

FLORIDA STATE
DIVISION OF ELECTIONS

February 2, 2018

Secretary Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following appointment under the provisions of
Section 1001.71, Florida Statutes:

Mr. Digvijay L. Gaekwad
11980 Southeast 22nd Avenue Road
Ocala, Florida 34480

as a member of the Board of Trustees, University of Central Florida, succeeding Clarence
Hunt Brown, subject to confirmation by the Senate. This appointment is effective February
2, 2018, for a term ending January 6, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/cr

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

RECEIVED
DEPARTMENT OF STATE

STATE OF FLORIDA

2018 FEB 13 AM 9:37

County of Marion

DIVISION OF ELECTIONS
TALLAHASSEE, FL

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

University of Central Florida Board of Trustees
(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature

Sworn to and subscribed before me this 12 day of February, 2018

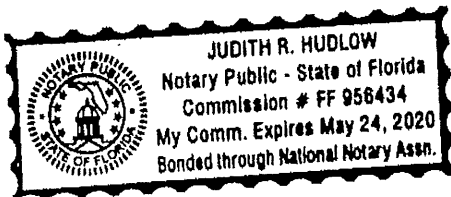
Judith R. Hudlow
Signature of Officer Administering Oath or of Notary Public

Judith R. Hudlow
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☒ OR

Produced Identification ☐

Type of Identification Produced _____



ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☒ Home ☐ Office

11980 SE 22nd Ave. Rd.

Street or Post Office Box

Ocala, Florida 34480

City, State, Zip Code

Digvijay Gaekwad

Print Name

Signature

CERTIFICATION

STATE OF FLORIDA

COUNTY OF Marion

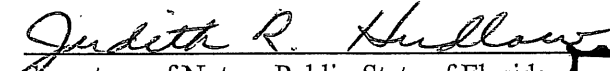
Before me, the undersigned Notary Public of Florida, personally appeared _____,

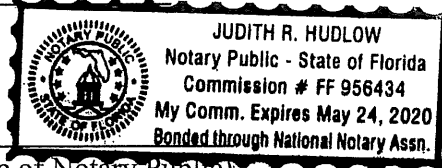
who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.



Signature of Applicant-Affiant

Sworn to and subscribed before me this 12 day of February, 2018.


Signature of Notary Public-State of Florida



(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: _____

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

(seal)

3015

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

Kathryn Smith Ballard

is duly appointed a member of the

**Board of Trustees,
Florida State University**

for a term beginning on the Twelfth day of January, A.D., 2018,
until the Sixth day of January, A.D., 2023 and is subject to be
confirmed by the Senate during the next regular session of the
Legislature.



*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Sixth day of February, A.D. 2018.*

Ken Detzner

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document



RICK SCOTT
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2018 JAN 19 PM 2:54
DEPARTMENT OF STATE
DIVISION OF ELECTIONS

January 12, 2018

Secretary Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following reappointment under the provisions of Section 1001.71, Florida Statutes:

Mrs. Kathryn Smith Ballard
7445 Heartland Circle
Tallahassee, Florida 32312

as a member of the Board of Trustees, Florida State University, subject to confirmation by the Senate. This appointment is effective January 12, 2018, for a term ending January 6, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/cr

HAND DELIVERED

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

RECEIVED

STATE OF FLORIDA

18 JAN 31 PM 2:48

County of LEON

DIVISION OF ELECTIONS
SECRETARY OF STATE

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Board of Trustees, Florida State University

(Title of Office)

on which I am now about to enter, so help me God.

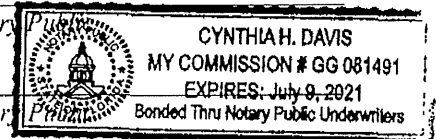
[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Kathryn Smith Ballard
Signature

Sworn to and subscribed before me this 31 day of January, 2018.

Cynthia H. Davis
Signature of Officer Administering Oath or of Notary Public

CYNTHIA H. DAVIS
Print, Type, or Stamp Commissioned Name of Notary Public



Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☒ Home ☐ Office

7445 Heartland Circle

Street or Post Office Box

Tallahassee, FL 32312

City, State, Zip Code

Kathryn Smith Ballard

Print Name

Kathryn Smith Ballard
Signature

CERTIFICATION

STATE OF FLORIDA
COUNTY OF LEON

Before me, the undersigned Notary Public of Florida, personally appeared _____,

who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

Kathryn Smith Ballard
Signature of Applicant-Affiant

Sworn to and subscribed before me this 31 day of January, 2018.

Cynthia H. Davis
Signature of Notary Public-State of Florida

CYNTHIA H. DAVIS

(Print, Type, or Stamp Commissioned Name of Notary Public)



My commission expires: _____

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

(seal)

3015

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

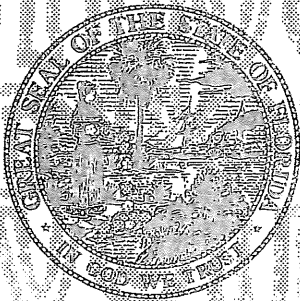
Jorge Gonzalez

is duly appointed a member of the

**Board of Trustees,
Florida State University**

for a term beginning on the Twelfth day of January, A.D., 2018,
until the Sixth day of January, A.D., 2021 and is subject to be
confirmed by the Senate during the next regular session of the
Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Ninth day of February, A.D., 2018.*



Ken Detzner

Secretary of State



RICK SCOTT
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2018 JAN 19 PM 2:54

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

January 12, 2018

Secretary Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following appointment under the provisions of Section 1001.71, Florida Statutes:

Mr. Jorge Luis Gonzalez
1405 Baytowne Avenue East
Miramar Beach, Florida 32550

as a member of the Board of Trustees, Florida State University, filling a vacant seat, subject to confirmation by the Senate. This appointment is effective January 12, 2018, for a term ending January 6, 2021.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/cr

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

HAND DELIVERED

RECEIVED

STATE OF FLORIDA

18 FEB -9 PM 12:05

County of Walton

DIVISION OF ELECTIONS
SECRETARY OF STATE

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Florida State University Trustee
(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

[Signature]
Signature

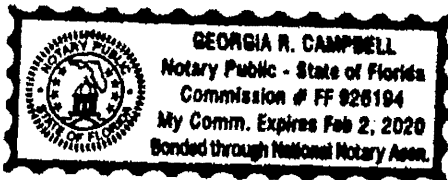
Sworn to and subscribed before me this 5th day of February, 2018.

Georgia R. Campbell
Signature of Officer Administering Oath or of Notary Public

Georgia R. Campbell
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____



ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Office

1405 Baytowne Ave. E.
Street or Post Office Box

Miramar Beach, FL 32550
City, State, Zip Code

Jorge Gonzalez
Print Name

[Signature]
Signature

CERTIFICATION

STATE OF FLORIDA

COUNTY OF MANATEE

Before me, the undersigned Notary Public of Florida, personally appeared

CHARLES TOKARZ,

who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.



Signature of Applicant-Affiant

Sworn to and subscribed before me this 6 day of February, 2018.


Signature of Notary Public-State of Florida



KATHLEEN M ANDERSON
MY COMMISSION # FF963483
EXPIRES April 12, 2020
FloridaNotaryService.com

Kathleen M. Anderson
(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: April 12, 2020

Personally Known ☒ **OR** Produced Identification ☐

Type of Identification Produced _____

(seal)

3020

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

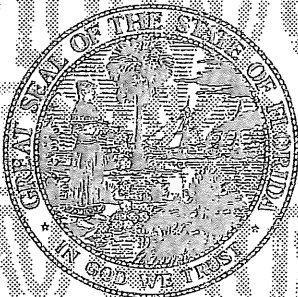
I, Ken Detzner, Secretary of State,
do hereby certify that

Stephen M. Smith

is duly appointed a member of the

**Board of Trustees,
Florida Gulf Coast University**

for a term beginning on the Twenty-Sixth day of January, A.D.,
2018, until the Sixth day of January, A.D., 2021 and is subject to
be confirmed by the Senate during the next regular session of the
Legislature.



*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Eighth day of February, A.D., 2018.*

Ken Detzner

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.



RICK SCOTT
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2018 JAN 30 AM 9:53
DIVISION OF ELECTIONS
TALLAHASSEE FL

January 26, 2018

Secretary Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following appointment under the provisions of
Section 1001.71, Florida Statutes:

Mr. Stephen M. Smith
15024 Pratolino Way
Naples, Florida 34110

as a member of the Board of Trustees, Florida Gulf Coast University, filling a vacant seat,
subject to confirmation by the Senate. This appointment is effective January 26, 2018, for a
term ending January 6, 2021.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RECEIVED

2018 JAN 29 AM 11:43

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

RS/cr

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

County of Collier

RECEIVED
DEPARTMENT OF STATE
2018 JAN 29 AM 10:40
DIVISION OF ELECTIONS
TALLAHASSEE, FL

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Florida Gulf Coast University Board of Trustees

(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature

Sworn to and subscribed before me this 27th day of January, 2018.

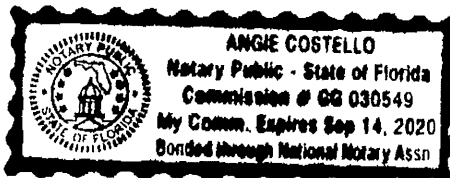
Signature of Officer Administering Oath or of Notary Public

Angie Costello
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☐ OR

Produced Identification ☒

Type of Identification Produced Florida Driver's License



ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☒ Home ☐ Office

15024 Pratolino Way

Street or Post Office Box

Naples, Florida 34110

City, State, Zip Code

Stephen M. Smith

Print Name

Signature

CERTIFICATION

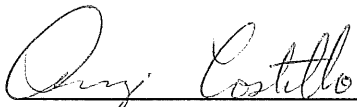
STATE OF FLORIDA
COUNTY OF _____

Before me, the undersigned Notary Public of Florida, personally appeared Stephen Moore Smith, who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.



Signature of Applicant-Affiant

Sworn to and subscribed before me this 27th day of January, 2018.



Signature of Notary Public-State of Florida

Angie Costello

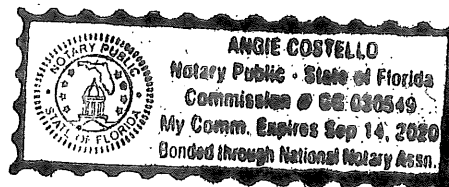
(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: 9-14-2020

Personally Known ☐ OR Produced Identification ☒

Type of Identification Produced Florida Driver's License

(seal)



3033

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

Gary C. Wendt

is duly appointed a member of the

**Board of Trustees,
Florida Polytechnic University**

for a term beginning on the Ninth day of November, A.D., 2017,
until the Thirtieth day of June, A.D., 2022 and is subject to be
confirmed by the Senate during the next regular session of the
Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twelfth day of February, A.D., 2018.*



Ken Detzner
Secretary of State



RICK SCOTT
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2017 NOV 30 AM 11:48
FLORIDA STATE
DIVISION OF ELECTIONS

November 9, 2017

Secretary Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following reappointment under the provisions of Section 1001.71, Florida Statutes:

Mr. Gary Carl Wendt
3055 Harbor Drive
Fort Lauderdale, Florida 33316

as a member of the Board of Trustees, Florida Polytechnic University, subject to confirmation by the Senate. This appointment is effective November 9, 2017, for a term ending June 30, 2022.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott", written over a large, stylized flourish.

Rick Scott
Governor

RS/cr

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

RECEIVED
DEPARTMENT OF STATE
2018 FEB 12 AM 11:34
DIVISION OF ELECTIONS
TALLAHASSEE, FL

STATE OF FLORIDA

County of Broward

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Trustee, Florida Polytechnic University
(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature

Sworn to and subscribed before me this 7th day of February, 2018

Signature of Officer Administering Oath or of Notary Public

DONALD B. MEDALIE
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____



DONALD B. MEDALIE
MY COMMISSION # FF 162161
EXPIRES: October 29, 2018
Bonded Thru Budget Notary Services

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☒ Home ☐ Office

3055 Harbor Drive #1701
Street or Post Office Box

Ft. Lauderdale, Fla 33316
City, State, Zip Code

Print Name

Signature

CERTIFICATION

STATE OF FLORIDA

COUNTY OF Broward

Before me, the undersigned Notary Public of Florida, personally appeared

Gary C. Wandt,
who, after being duly sworn, say (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

Gary C. Wandt
Signature of Applicant-Affiant

Sworn to and subscribed before me this 7th day of Feb, 2018.

Donald B. Medalie
Signature of Notary Public-State of Florida

DONALD B. MEDALIE
(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: 10/29/2018

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____



DONALD B. MEDALIE
MY COMMISSION # FF 162161
EXPIRES: October 29, 2018
Bonded Thru Budget Notary Services

(seal)

Amended

3035

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

Thomas G. Kuntz

is duly appointed a member of the

**Board of Trustees,
University of Florida**

for a term beginning on the Twenty-Sixth day of January, A.D.,
2018, until the Sixth day of January, A.D., 2023 and is subject to
be confirmed by the Senate during the next regular session of the
Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Eighth day of February, A.D., 2018.*

Ken Detzner

Secretary of State

HAND DELIVERED



RICK SCOTT
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2018 FEB -8 AM 10:19
DEPARTMENT OF STATE
DIVISION OF ELECTIONS

February 8, 2018

Secretary Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have amended the following appointment under the provisions of Section 1001.71, Florida Statutes:

Thomas George Kuntz
1568 Holts Grove Circle
Winter Park, Florida 32789

as a member of the Board of Trustees, University of Florida, succeeding Steven Martin Scott, subject to confirmation by the Senate. This appointment is effective January 26, 2018, for a term ending January 6, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott", written over a large, stylized flourish.

Rick Scott
Governor

RS/cr

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

County of Orange

RECEIVED
DEPARTMENT OF STATE
2018 FEB -1 AM 10:13
DIVISION OF ELECTIONS
TALLAHASSEE, FL

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Trustee University of Florida

(Title of Office)

on which I am now about to enter, so help me God.

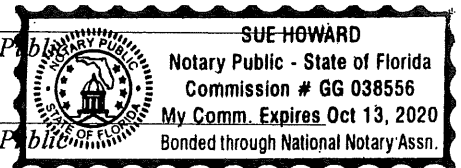
[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Thomas G. Kuntz
Signature

Sworn to and subscribed before me this 29 day of Jan, 2018.

Sue Howard
Signature of Officer Administering Oath or of Notary Public

Sue Howard
Print, Type, or Stamp Commissioned Name of Notary Public



Personally Known ☒ OR

Produced Identification ☐

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☐ Home ☒ Office

400 S. Park Avenue Suite 200

Street or Post Office Box

Winter Park, Florida 32789

City, State, Zip Code

Thomas G. Kuntz

Print Name

Thomas G. Kuntz
Signature

CERTIFICATION

STATE OF FLORIDA

COUNTY OF Orange

Before me, the undersigned Notary Public of Florida, personally appeared

Thomas Kuntz,
who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

Thomas Kuntz
Signature of Applicant-Affiant

Sworn to and subscribed before me this 29 day of Jan, 2018.

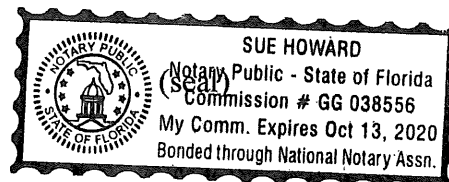
Sue Howard
Signature of Notary Public-State of Florida

Sue Howard
(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: 10/31/20

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____



Amended

3040

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

Thomas A. Bryan

is duly appointed a member of the

**Board of Trustees,
University of North Florida**

for a term beginning on the Seventh day of January, A.D., 2018,
until the Sixth day of January, A.D., 2023 and is subject to be
confirmed by the Senate during the next regular session of the
Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Eighth day of February, A.D., 2018.*

Ken Detzner

Secretary of State



State of Florida" appears in small letters across the face of this 8 1/2 x 11" document.

If photocopied or chemically altered, the word "VOID" will appear

HAND DELIVERED

Amended



RICK SCOTT
GOVERNOR

RECEIVED
DEPARTMENT OF STATE

2018 FEB -8 AM 10:19

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

February 8, 2017

Secretary Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have amended the following appointment under the provisions of Section 1001.71, Florida Statutes:

Mr. Thomas Bryan
6247 Ortega Farms Boulevard
Jacksonville, Florida 32244

as a member of the Board of Trustees, University of North Florida, succeeding Joy Korman, subject to confirmation by the Senate. This appointment is effective January 7, 2018, for a term ending January 6, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott", written over a large, stylized flourish.

Rick Scott
Governor

RS/cr

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

County of DUNAL

RECEIVED
18 JAN 17 AM 10:15
DIVISION OF ELECTIONS
SECRETARY OF STATE

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

TRUSTEE UNIVERSITY OF NORTH FLORIDA
(Title of Office)

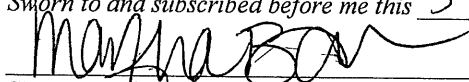
on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]



Signature

Sworn to and subscribed before me this 5 day of JANUARY, 2018



Signature of Officer Administering Oath or of Notary Public

MARtha Baudendistel

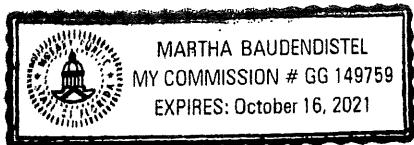
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☒

OR

Produced Identification ☐

Type of Identification Produced _____



ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☐ Home ☒ Office

4440 NEALMAE AVE

Street or Post Office Box

FLORIDA 32210

City, State, Zip Code

THOMAS A. BRYAN

Print Name



Signature

CERTIFICATION

STATE OF FLORIDA

COUNTY OF DUVAL

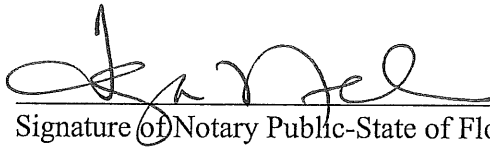
Before me, the undersigned Notary Public of Florida, personally appeared _____,

who, after being duty sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.



Signature of Applicant-Affiant

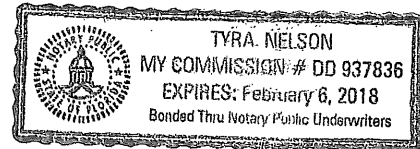
Sworn to and subscribed before me this 31 day of January, 2018



Signature of Notary Public-State of Florida

Tyra Nelson

(Print, Type, or Stamp Commissioned Name of Notary Public)



My commission expires: 2/6/2018

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

(seal)

3045

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

Oscar J. Horton

is duly appointed a member of the

**Board of Trustees,
University of South Florida**

for a term beginning on the Twenty-Fifth day of January, A.D.,
2018, until the Sixth day of January, A.D., 2023 and is subject to
be confirmed by the Senate during the next regular session of the
Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Thirty-First day of January, A.D., 2018.*



Ken Detzner

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document.



STATE
UNIVERSITY
SYSTEM
of FLORIDA
Board of Governors

RECEIVED

18 JAN 26 PM 12:30

DIVISION OF ELECTIONS
SECRETARY OF STATE

Office of the Chancellor
325 West Gaines Street, Suite 1614
Tallahassee, FL 32399
Phone 850.245.0466
Fax 850.245.9685
www.flbog.edu

January 26, 2018

MEMORANDUM

To: Ms. Inez Williams

From: Cora Merritt
University Trustees Coordinator

Subject: Appointments to the University Boards of Trustees by the
Board of Governors, January 25, 2018

This is to advise you that the Board of Governors made the following appointments to the University Boards of Trustees, on Thursday, January 25, 2018.

To the University of Florida Board of Trustees: Mr. Daniel O'Keefe was appointed for term that began January 25, 2018 and ending January 6, 2023, to the seat previously held by Mr. David Thomas.

To the University of South Florida Board of Trustees: Mr. Oscar Horton was appointed for a term that began January 25, 2018 and ending January 6, 2023, to the seat previously held by Mr. Stanley Levy.

Attached are copies of the letters from Chancellor Marshall M. Criser III.

Thank you for your assistance in processing these appointments for their Senate confirmation. Please call me if you need additional information.

Enclosures



STATE
UNIVERSITY
SYSTEM
of FLORIDA
Board of Governors

RECEIVED

18 JAN 26 PM 12:30

DIVISION OF COLLECTIONS
SECRETARY OF STATE

Office of the Chancellor
325 West Gaines Street, Suite 1614
Tallahassee, FL 32399
Phone 850.245.0466
Fax 850.245.9685
www.flbog.edu

January 26, 2018

Mr. Oscar Horton
6020 Adamo Drive
Tampa, Florida 33619

Dear Mr. Horton:

On Thursday, January 25, 2018, the Florida Board of Governors approved the recommendation made by its Nomination and Governance Committee to appoint you as a member of the University of South Florida Board of Trustees. Please accept our congratulations.

The appointment acknowledges your record of public service and numerous career milestones. Your achievements are sure to provide expertise to the State University System of Florida and the University of South Florida as you serve in the capacity of a trustee. The appointment, subject to confirmation by the Florida Senate, your attendance of a System orientation session, and annual attendance at the Trustee Summits conducted by the Board of Governors, is for a term that began January 25, 2018 and ends on January 6, 2023.

Your role as a trustee is vital to the governance and success of our System. Members of the Board of Governors rely on all the university trustees to exercise due diligence in connection with their oversight responsibilities for our universities.

Thank you for your willingness to serve. We look forward to working with you as a member of the University of South Florida Board of Trustees.

Sincerely,

Marshall M. Criser III
Chancellor

c: Ned Lautenbach, Chair, Board of Governors and
Nomination and Governance Committee
Brian Lamb, Chair, Board of Trustees
Dr. Judy Genshaft, President, University of South Florida
Dr. Cindy Visot, Board of Trustees Liaison
Vikki Shirley, Corporate Secretary and General Counsel
Cora Merritt, University Trustees Coordinator

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

County of Hillsborough

RECEIVED
DEPARTMENT OF STATE
2018 JAN 31 AM 10:37
DIVISION OF ELECTIONS
TALLAHASSEE FL

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

University of South Florida Board of Trustees
(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

[Signature]
Signature

Sworn to and subscribed before me this 30th day of January

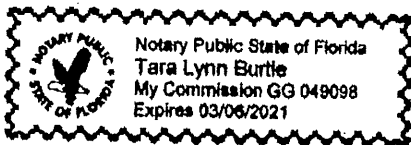
Tara L Burtle
Signature of Officer Administering Oath or of Notary Public

Tara L Burtle
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☒ OR

Produced Identification ☐

Type of Identification Produced



ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☐ Home ☒ Office

6020 E Adamo Drive
Street or Post Office Box

Tampa FL 33619
City, State, Zip Code

Oscar J. Horton
Print Name
[Signature]
Signature

CERTIFICATION

STATE OF FLORIDA

COUNTY OF Hillsborough

Before me, the undersigned Notary Public of Florida, personally appeared

Oscar J. Horton

who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

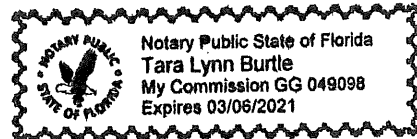
[Signature]

Signature of Applicant-Affiant

Sworn to and subscribed before me this 30th day of January, 2018

Tara L Burtle

Signature of Notary Public-State of Florida



Tara L Burtle

(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: 03/06/2021

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

(seal)

3045

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

Les M. Muma

is duly appointed a member of the

**Board of Trustees,
University of South Florida**

for a term beginning on the Twelfth day of January, A.D., 2018,
until the Sixth day of January, A.D., 2023 and is subject to be
confirmed by the Senate during the next regular session of the
Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Thirty-First day of January, A.D., 2018.*



Ken Detzner
Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document.



RICK SCOTT
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2018 JAN 19 PM 2:54

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

January 12, 2018

Secretary Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following appointment under the provisions of Section 1001.71, Florida Statutes:

Mr. Les Martin Muma
100 Palmetto Road
Belleair, Florida 33756

as a member of the Board of Trustees, University of South Florida, filling a vacant seat, subject to confirmation by the Senate. This appointment is effective January 12, 2018 for a term ending January 6, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/cr

119691

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

County of

HILLSBORO

RECEIVED
DEPARTMENT OF STATE
2018 JAN 29 AM 10:40
DIVISION OF ELECTIONS
TALLAHASSEE, FL

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

UNIVERSITY OF SOUTH FLORIDA - BOARD OF TRUSTEES
(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature

Sworn to and subscribed before me this 26th day of JANUARY, 2018.

Signature of Officer Administering Oath or of Notary Public

Print, Type, or Stamp Name of Notary Public
JUDY B. LANCIE
My Comm. Expires Apr 17, 2018

Personally Known ☒ No ☐ Produced Identification ☐

Type of Identification Produced

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☒ Home ☐ Office

100 PALMETTO RD
Street or Post Office Box

BELLEAIR, FL 33756
City, State, Zip Code

LESLIE M. MUDA
Print Name

Signature

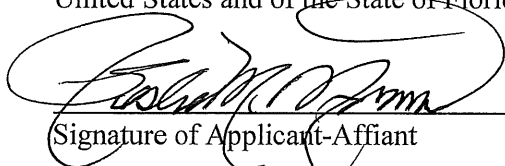
CERTIFICATION

STATE OF FLORIDA

COUNTY OF HILLSBORO

Before me, the undersigned Notary Public of Florida, personally appeared

_____,
who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read
the answers to the foregoing questions; (2) that the information contained in said answers is
complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the
United States and of the State of Florida.



Signature of Applicant-Affiant

Sworn to and subscribed before me this 26th day of January, 2018.



Signature of Notary Public-State of Florida

JUDY B. LANCI
Notary Public, State of Florida
My Comm. Expires Apr 17, 2018
No. FF 112488

(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: _____

Personally Known ☒ **OR** Produced Identification ☐

Type of Identification Produced _____

(seal)

3045

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

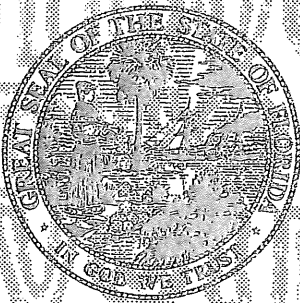
I, Ken Detzner, Secretary of State,
do hereby certify that

Charles Tokarz

is duly appointed a member of the

**Board of Trustees,
University of South Florida**

for a term beginning on the Twelfth day of January, A.D., 2018,
until the Sixth day of January, A.D., 2021 and is subject to be
confirmed by the Senate during the next regular session of the
Legislature.



*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Thirteenth day of February, A.D., 2018.*

Ken Detzner

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.



RICK SCOTT
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2018 JAN 19 PM 2:54

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

January 12, 2018

Secretary Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following appointment under the provisions of Section 1001.71, Florida Statutes:

Mr. Charles Joseph Tokarz
4721 Oak Run Drive
Sarasota, Florida 34243

as a member of the Board of Trustees, University of South Florida, filling a vacant seat, subject to confirmation by the Senate. This appointment is effective January 12, 2018 for a term ending January 6, 2021.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/cr

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

County of MANATEE

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida, that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

UNIVERSITY OF SOUTH FLORIDA TRUSTEE

(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Charles Tokarz
Signature

Sworn to and subscribed before me this 29 day of January, 2018.

Kathleen M. Anderson
Signature of Officer Administering Oath or of Notary Public

Kathleen M. Anderson
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☒ OR

Produced Identification ☐

Type of Identification Produced



ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address ☒ Home ☐ Office

4721 OAK RUN DRIVE

Street or Post Office Box

SARASOTA FL 34243

City, State, Zip Code

CHARLES TOKARZ

Print Name

Charles Tokarz
Signature

CERTIFICATION

STATE OF FLORIDA

COUNTY OF MANATEE


Before me, the undersigned Notary Public of Florida, personally appeared

CHARLES TOKARZ,

who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.


Signature of Applicant-Affiant

Sworn to and subscribed before me this 6 day of February, 2018.


Signature of Notary Public-State of Florida



Kathleen M. Anderson
(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: April 12, 2020

Personally Known ☒ **OR** Produced Identification ☐

Type of Identification Produced _____

(seal)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: SB 968

INTRODUCER: Senator Brandes

SUBJECT: Mastery-Based Education

DATE: February 19, 2018

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bouck	Graf	ED	Pre-meeting
2.			AED	
3.			AP	

I. Summary:

SB 968 renames the Competency-Based Education Pilot Program as the Mastery-Based Education Pilot Program (mastery-based pilot) and:

- Expands participation in the mastery-based pilot to all school districts.
- Authorizes district school boards participating in the mastery-based pilot to:
 - Determine and award credit based on student's mastery of core content and skills.
 - Use an alternative interpretation of letter grades to measure student success in grades 6-12.
- Requires the statewide articulation agreement to ensure fair and equitable access for high school graduates with mastery-based, nontraditional diplomas and transcripts.

The bill takes effect July 1, 2018.

II. Present Situation:

Competency-Based Education Pilot Program

In 2016¹ the Legislature created the Competency-Based Education Pilot Program (pilot program) within the Department of Education (DOE) to be administered for a period of 5 years, beginning with the 2016-2017 school year.² The purpose of the pilot program is to provide an educational environment that allows students to advance to higher levels of learning upon the mastery of concepts and skills through statutory exemptions relating to student progression and the awarding of credits.³

¹ Section 1, ch. 2016-149, L.O.F.

² Section 1003.4996, F.S.

³ *Id.*

The Lake, Palm Beach, Pinellas, and Seminole County School Districts and the P.K. Yonge Developmental Research School may submit an application in a format prescribed by the DOE to participate in the pilot program.⁴

The application to participate in the pilot program must, at a minimum, include:⁵

- The vision and timelines for the implementation of competency-based education within the school district, including a list of the schools that will participate in the pilot program during the first school year and the list of schools that will be integrated into the program in subsequent school years.
- The annual goals and performance outcomes, specified in law, for participating schools.
- A communication plan for parents and other stakeholders, including local businesses and community members.
- The scope of and timelines for professional development for school instructional and administrative personnel.
- A plan for student progression based on the mastery of content, including mechanisms that determine and ensure that a student has satisfied the requirements for grade-level promotion and content mastery.
- A plan for using technology and digital and blended learning to enhance student achievement and facilitate the competency-based education system.
- The proposed allocation of resources for the pilot program at the school and district levels.
- The recruitment and selection of participating schools.
- The rules to be waived for participating schools to implement the pilot program.⁶

Four of the five eligible school districts chose to participate in the pilot program during the 2016-2017 school year.⁷ The Seminole County School District elected to use 2016-2017 as a planning year only.⁸ Additionally, while the Lake County School District participated in the pilot program in 2016-2017, the district school superintendent decided to suspend the district's participation in 2017-2018 to assess the pressing needs of the district, but intends for the school district to participate in the pilot program in 2018-2019.⁹

Definition of Credit

For the purposes of requirements for high school graduation, one full credit means a minimum of 135 hours of bona fide instruction in a designated course of study that contains student

⁴ Section 1003.4996(1), F.S. The P.K. Yonge Developmental Research School is a public school affiliated with the University of Florida. P.K. Yonge Developmental Research School at the University of Florida, <https://pk Yonge.ufl.edu/> (last visited Feb. 19, 2018).

⁵ Section 1003.4996(2), F.S.

⁶ To facilitate innovative practices and to allow local selection of educational methods, the State Board of Education (SBE) may authorize the commissioner to waive, upon the request of a district school board, SBE rules that relate to district school instruction and school operations, except those rules pertaining to civil rights, and student health, safety, and welfare. Section 1001.10(3), F.S. The SBE may authorize the commissioner to grant an additional waiver of rules relating to student progression and the awarding of credits. Section 1003.4996(2)(i), F.S.

⁷ Florida Department of Education, *Competency-Based Education Pilot Program, 2016-17 Annual Report* (June 9, 2017), at 1. Email, Florida Department of Education (Feb. 15, 2018).

⁸ *Id.*

⁹ *Id.*

performance standards, except as otherwise provided through the Credit Acceleration Program.¹⁰ For a district school that has been authorized to implement block scheduling by the district school board, one full credit means a minimum of 120 hours of bona fide instruction in a designated course of study that contains student performance standards for purposes of meeting high school graduation requirements.¹¹

The State Board of Education (SBE) is required to determine the number of postsecondary credit hours earned through dual enrollment¹² that satisfy the requirements of a dual enrollment articulation agreement¹³ and that equal one full credit of the equivalent high school course.¹⁴

Middle and High School Grading System

The grading system and interpretation of letter grades used to measure student success in grade 6 through grade 12 courses for students in public schools shall be as follows:¹⁵

- Grade “A” equals 90 percent through 100 percent, has a grade point average value of 4, and is defined as “outstanding progress.”
- Grade “B” equals 80 percent through 89 percent, has a grade point average value of 3, and is defined as “above average progress.”
- Grade “C” equals 70 percent through 79 percent, has a grade point average value of 2, and is defined as “average progress.”
- Grade “D” equals 60 percent through 69 percent, has a grade point average value of 1, and is defined as “lowest acceptable progress.”
- Grade “F” equals zero percent through 59 percent, has a grade point average value of zero, and is defined as “failure.”
- Grade “I” equals zero percent, has a grade point average value of zero, and is defined as “incomplete.”

For the purposes of class ranking, district school boards may exercise a weighted grading system.¹⁶

¹⁰ Section 1003.436(1), F.S. The Credit Acceleration Program allows a student to earn high school credit in courses required for high school graduation through passage of an end-of-course assessment, an Advanced Placement Examination, or a College Level Examination Program. Section 1003.4295(3), F.S.

¹¹ Section 1003.436(1), F.S.

¹² The dual enrollment program is the enrollment of an eligible secondary student or home education student in a postsecondary course creditable toward high school completion and a career certificate or an associate or baccalaureate degree. Section 1007.271, F.S.

¹³ The dual enrollment articulation agreement between a school district and public postsecondary institution must delineate the high school credit earned for passage of each dual enrollment course. Section 1007.271(21)(f), F.S.

¹⁴ Section 1003.436(1), F.S. The Commissioner of Education must recommend to the State Board of Education postsecondary courses that meet high school graduation requirements and the number of postsecondary semester credit hours of instruction and equivalent high school credits that are necessary to meet high school graduation requirements. Section 1007.271(9), F.S.

¹⁵ Section 1003.437, F.S.

¹⁶ *Id.* School districts and Florida College System institutions must weigh dual enrollment courses the same as advanced placement, International Baccalaureate, and Advanced International Certificate of Education courses when grade point averages are calculated. Alternative grade calculation systems, alternative grade weighting systems, and information regarding student education options that discriminate against dual enrollment courses are prohibited. Section 1007.271(18), F.S.

Statewide Articulation Agreement

The SBE and the Board of Governors of the State University system are required to enter into a statewide articulation agreement, which must preserve Florida's "2+2" system of articulation, facilitate the seamless articulation of student credit across and among Florida's educational entities, and govern, among other provisions, articulation between secondary and postsecondary education.¹⁷

III. Effect of Proposed Changes:

SB 968 renames the Competency-Based Education Pilot Program as the Mastery-Based Education Pilot Program (mastery-based pilot) and:

- Expands participation in the mastery-based pilot to all school districts.
- Authorizes district school boards participating in the mastery-based pilot to:
 - Determine and award credit based on student's mastery of core content and skills.
 - Use an alternative interpretation of letter grades to measure student success in grades 6-12.
- Requires the statewide articulation agreement to ensure fair and equitable access for high school graduates with mastery-based, nontraditional diplomas and transcripts.

Mastery-Based Education Pilot Program

The bill expands participation in the pilot program to all public school districts.¹⁸ The bill removes the 2016-2017 school year beginning date for the mastery-based pilot, but maintains the five-year timeframe for the mastery-based pilot.

The bill authorizes that, beginning in the 2018-2019 school year, participating school districts may amend their applications to include alternatives for:

- Awarding credit, which must include a verification of the student's mastery of the applicable course content using rigorous scoring rubrics to evaluate the student's work.
- The interpretation of middle school and high school letter grades, which may substitute the applicable language from the school district's rigorous scoring rubric.

The bill requires that an application that is amended to include such provisions must be approved by the district school board.

¹⁷ Section 1007.23(1), F.S.

¹⁸ Each county is designated as a school district. Art IX, sec. 4, Fla. Const. and section 1001.30, F.S. For the purposes of funding and educational facilities, developmental research (laboratory) schools are designated as special school districts. Section 1011.24, F.S. It is unclear, however, if developmental research schools affiliated with Florida Agricultural and Mechanical University, Florida Atlantic University, and Florida State University would be eligible to participate in the mastery-based pilot under section 1003.4996, F.S.

Definition of Credit

The bill authorizes district school boards¹⁹ participating in the mastery-based pilot to determine and award credit based on a student's mastery of the core content and skills, consistent with the Next Generation Sunshine State Standards,²⁰ as approved by the district school board. The bill may allow a student to progress more rapidly by completing course competencies without the requirement to meet the minimum hours of instruction.

Middle and High School Grading System

The bill authorizes district school boards²¹ participating in the mastery-based pilot to use an alternative interpretation of letter grades to measure student success in grade 6 through grade 12.

According to the Department of Education and Board of Governors of the State University System (BOG), the use of an alternative interpretation of the letter grade system by school districts that participate in the pilot program may impact the students' ability to meet the specific minimum grade point average (GPA) requirements for the following:²²

- National Collegiate Athletic Association Division I and II scholarships;
- Interscholastic extracurricular activities;
- Bright Futures and other scholarships; and
- Dual enrollment.

Statewide Articulation Agreement

The bill requires the statewide articulation agreement to ensure fair and equitable access for high school graduates with mastery-based, nontraditional diplomas and transcripts. Accordingly, the statewide articulation agreement may likely need to be updated in rule by the State Board of Education and in regulation by the BOG. In addition, postsecondary institutions may need to update first-time-in-college admissions procedures to revise GPA requirements consistent with alternatives to the letter-grade system.²³

The bill takes effect July 1, 2018.

¹⁹ See *supra* note 15. It is unclear if the P.K. Yonge Developmental Research School is included in the authorization in the bill to award credit based on a student's mastery of core content and skills. A district school board refers to the president of the university, or the president's designee, only for the purposes of school improvement and accountability. Section 1002.32(10)(b), F.S.

²⁰ The Next Generation Sunshine State Standards establish the core content of the curricula to be taught in the state and specify the core content knowledge and skills that K-12 public school students are expected to acquire. Standards must be rigorous and relevant and provide for the logical, sequential progression of core curricular content that incrementally increases a student's core content knowledge and skills over time. Section 1003.41(1), F.S.

²¹ See *supra* note 16.

²² Department of Education, *2018 Agency Analysis for SB 968* (Dec. 1, 2017), at 4 and 7, and Board of Governors, *2018 Bill Analysis of SB 968* (Dec. 13, 2017), at 4.

²³ Board of Governors, *2018 Bill Analysis of SB 968* (Dec. 13, 2017), at 3-4.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1003.436, 1003.437, 1003.4996, and 1007.23.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



326084

LEGISLATIVE ACTION

Senate

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House

The Committee on Education (Brandes) recommended the following:

Senate Amendment (with title amendment)

Delete line 95
and insert:
the department for approval to participate in the pilot program.
The department may choose up to 10 public school districts to
participate in the pilot program.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 14



326084

12 and insert:
13 applications for the program; limiting the number of
14 school districts the department may choose to
15 participate in the program; authorizing

By Senator Brandes

24-01023A-18

2018968__

A bill to be entitled

An act relating to mastery-based education; amending s. 1003.436, F.S.; authorizing a district school board participating in the Mastery-Based Education Pilot Program to award credit based on student mastery of certain content and skills; amending s. 1003.437, F.S.; authorizing a district school board participating in the Mastery-Based Education Pilot Program to use an alternative interpretation of letter grades for certain students; amending s. 1003.4996, F.S.; renaming the Competency-Based Education Pilot Program as the Mastery-Based Education Pilot Program; authorizing public school districts to submit applications for the program; authorizing participating school districts to amend their applications to include alternatives for the award credits and interpretation of letter grades; providing requirements for such alternatives; amending s. 1007.23, F.S.; requiring the statewide articulation agreement to ensure fair and equitable access for students with mastery-based, nontraditional diplomas and transcripts; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (1) of section 1003.436, Florida Statutes, is amended to read:
 1003.436 Definition of "credit."—
 (1)(a) For the purposes of requirements for high school

Page 1 of 6

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

24-01023A-18

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graduation, one full credit means a minimum of 135 hours of bona fide instruction in a designated course of study that contains student performance standards, except as otherwise provided through the Credit Acceleration Program (CAP) under s. 1003.4295(3). One full credit means a minimum of 120 hours of bona fide instruction in a designated course of study that contains student performance standards for purposes of meeting high school graduation requirements in a district school that has been authorized to implement block scheduling by the district school board. However, district school boards participating in the Mastery-Based Education Pilot Program under s. 1003.4996 may determine and award credit based on a student's mastery of the core content and skills, consistent with s. 1003.41, as approved by the district school board. The State Board of Education shall determine the number of postsecondary credit hours earned through dual enrollment pursuant to s. 1007.271 that satisfy the requirements of a dual enrollment articulation agreement according to s. 1007.271(21) and that equal one full credit of the equivalent high school course identified pursuant to s. 1007.271(9).

Section 2. Section 1003.437, Florida Statutes, is amended to read:

1003.437 Middle and high school grading system.—

(1) The grading system and interpretation of letter grades used to measure student success in grade 6 through grade 12 courses for students in public schools shall be as follows:

(a) ~~(1)~~ Grade "A" equals 90 percent through 100 percent, has a grade point average value of 4, and is defined as "outstanding progress."

Page 2 of 6

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

24-01023A-18

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(b)(2) Grade "B" equals 80 percent through 89 percent, has a grade point average value of 3, and is defined as "above average progress."

(c)(3) Grade "C" equals 70 percent through 79 percent, has a grade point average value of 2, and is defined as "average progress."

(d)(4) Grade "D" equals 60 percent through 69 percent, has a grade point average value of 1, and is defined as "lowest acceptable progress."

(e)(5) Grade "F" equals zero percent through 59 percent, has a grade point average value of zero, and is defined as "failure."

(f)(6) Grade "I" equals zero percent, has a grade point average value of zero, and is defined as "incomplete."

(2) District school boards participating in the Mastery-Based Education Pilot Program under s. 1003.4996 may use an alternative interpretation of letter grades to measure student success in grade 6 through grade 12.

For the purposes of class ranking, district school boards may exercise a weighted grading system pursuant to s. 1007.271.

Section 3. Section 1003.4996, Florida Statutes, is amended to read:

1003.4996 Mastery-Based Competency-Based Education Pilot Program. ~~Beginning with the 2016-2017 school year,~~ The Mastery-Based Competency-Based Education Pilot Program is created within the Department of Education to be administered for a period of 5 years. The purpose of the pilot program is to provide an educational environment that allows students to advance to

24-01023A-18

2018968

higher levels of learning upon the mastery of concepts and skills through statutory exemptions relating to student progression and the awarding of credits.

(1) PARTICIPATION.—The P.K. Yonge Developmental Research School and public school districts, including, but not limited to, the Lake, Palm Beach, Pinellas, and Seminole County School Districts, may submit an application in a format prescribed by the department to participate in the pilot program.

(2) APPLICATION.—The application to participate in the pilot program must, at a minimum, include:

(a) The vision and timelines for the implementation of mastery-based ~~competency-based~~ education within the school district, including a list of the schools that will participate in the pilot program during the first school year and the list of schools that will be integrated into the program in subsequent school years.

(b) The annual goals and performance outcomes for participating schools, including, but not limited to:

1. Student performance as defined in s. 1008.34.
2. Promotion and retention rates.
3. Graduation rates.
4. Indicators of college and career readiness.

(c) A communication plan for parents and other stakeholders, including local businesses and community members.

(d) The scope of and timelines for professional development for school instructional and administrative personnel.

(e) A plan for student progression based on the mastery of content, including mechanisms that determine and ensure that a student has satisfied the requirements for grade-level promotion

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and content mastery.

(f) A plan for using technology and digital and blended learning to enhance student achievement and facilitate the ~~mastery-based competency-based~~ education system.

(g) The proposed allocation of resources for the pilot program at the school and district levels.

(h) The recruitment and selection of participating schools.

(i) The rules to be waived for participating schools pursuant to subsection (3) to implement the pilot program.

(3) EXEMPTION FROM RULES.—In addition to the waivers authorized in s. 1001.10(3), the State Board of Education may authorize the commissioner to grant an additional waiver of rules relating to student progression and the awarding of credits.

(4) ALTERNATE CREDIT AND LETTER GRADE SYSTEMS.—

(a) Beginning with the 2018-2019 school year, participating school districts may amend their applications to include alternatives for awarding credit, as authorized under s. 1003.436, and for the interpretation of middle school and high school letter grades, as authorized under s. 1003.437.

1. Alternatives to awarding credit must include a verification of the student's mastery of the applicable course content using rigorous scoring rubrics to evaluate the student's work.

2. Alternatives to the interpretation of middle school and high school letter grades may substitute the applicable language from the school district's rigorous scoring rubric.

(b) An application that is amended pursuant to this subsection must be approved by the district school board.

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(5)(4) STUDENT FUNDING.—Students enrolled in a participating school shall be reported for and generate funding pursuant to s. 1011.62.

(6)(5) DEPARTMENT DUTIES.—The department shall:

(a) Compile the student and staff schedules of participating schools before and after implementation of the pilot program.

(b) Provide participating schools with access to statewide, standardized assessments required under s. 1008.22.

(c) Annually, by June 1, provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report summarizing the activities and accomplishments of the pilot program and any recommendations for statutory revisions.

(7)(6) RULES.—The State Board of Education shall adopt rules to administer this section.

Section 4. Subsection (7) is added to section 1007.23, Florida Statutes, to read:

1007.23 Statewide articulation agreement.—

(7) The articulation agreement must ensure fair and equitable access for high school graduates with mastery-based, nontraditional diplomas and transcripts.

Section 5. This act shall take effect July 1, 2018.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Appropriations Subcommittee on Higher Education, *Chair*
Appropriations
Appropriations Subcommittee on Transportation, Tourism, and Economic Development
Education
Governmental Oversight and Accountability
Rules
Transportation

JOINT COMMITTEE:

Joint Legislative Budget Commission

SENATOR BILL GALVANO

21st District

February 20, 2018

Senator Dorothy Hukill
415 Knott Building
404 South Monroe Street
Tallahassee, FL 32399

Dear Madam Chair Hukill:

I am writing to request approval from the meeting of the Committee on Education scheduled today, February 20, 2018.

I appreciate your consideration of this request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bill", is written over a light blue rectangular background.

Bill Galvano

cc: Shruti Graf
Laureen Zaugg

REPLY TO:

- ☐ 1023 Manatee Avenue West, Suite 201, Bradenton, Florida 34205 (941) 741-3401
- ☐ 420 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5021

Senate's Website: www.flsenate.gov

JOE NEGRON
President of the Senate

ANITERE FLORES
President Pro Tempore



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Appropriations Subcommittee on the
Environment and Natural Resources, *Chair*
Appropriations
Appropriations Subcommittee on Health and
Human Services
Education
Environmental Preservation and
Conservation
Health Policy
Rules

SENATOR LAUREN BOOK

Democratic Leader Pro Tempore
32nd District

February 19, 2018

Chair Dorothy L. Hukill
Committee on Education
415 Knott Building
404 S. Monroe Street
Tallahassee, FL 32399-1100

Dear Chair Hukill,

I am respectfully requesting an excused absence from the Committee on Education meeting on February 20, 2018, scheduled at 11:00am.

I will be attending meetings and proceedings in Broward County related to the mass shooting at Marjory Stoneman Douglas High School.

I appreciate your consideration of this request. Should you have any questions or concerns, please feel free to call me directly.

Thank you,

A handwritten signature in cursive script that reads "Lauren Book".

Senator Lauren Book
Senate District 32

cc: Shruti Graf, Staff Director
Laureen Zaugg, Administrative Assistant

REPLY TO:

- ☐ 967 Nob Hill Road, Plantation, Florida 33324 (954) 424-6674
- ☐ 202 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5032

Senate's Website: www.flsenate.gov

JOE NEGRON
President of the Senate

ANITERE FLORES
President Pro Tempore