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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
02/21/2018	.	
Floor: 2/F/2R	.	
03/02/2018 01:15 PM	.	
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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



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

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

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

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

31 213.053 Confidentiality and information sharing.—

32 (21) (a) The department may provide to an eligible nonprofit
33 scholarship-funding organization, as defined in s. 1002.40, a
34 dealer's name, address, federal employer identification number,
35 and information related to differences between credits taken by
36 the dealer pursuant to s. 212.1832(2) and amounts remitted to
37 the eligible nonprofit scholarship-funding organization under s.
38 1002.40(13)(b)3. The eligible nonprofit scholarship-funding
39 organization may use the information for purposes of recovering
40 eligible contributions designated for that organization that



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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



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70 1002 with access to electronic verification of information from
71 the following employment screening tools:

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

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

76

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

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

85 1001.4205 Visitation of schools ~~by an individual school~~
86 ~~board or charter school governing board member.~~-An individual
87 member of a district school board may, on any day and at any
88 time at his or her pleasure, visit any district school in his or
89 her school district. An individual member of the State
90 Legislature may, on any day and at any time at his or her
91 pleasure, visit any district school, including any charter
92 school, in his or her legislative district. An individual member
93 of a charter school governing board ~~member~~ may, on any day and
94 at any time at his or her pleasure, visit any charter school
95 governed by the charter school's governing board.

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



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99 times while present on school premises.

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

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

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

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

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

119 1002.01 Definitions.—

120 (1) A "home education program" means the sequentially
121 progressive instruction of a student directed by his or her
122 parent in order to satisfy the attendance requirements of ss.
123 1002.41, 1003.01(13), and 1003.21(1).

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



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

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

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

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

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

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

153 (e) The Hope Scholarship Program established pursuant to s.
154 1002.40.

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



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157 1002.20 K-12 student and parent rights.—Parents of public
158 school students must receive accurate and timely information
159 regarding their child’s academic progress and must be informed
160 of ways they can help their child to succeed in school. K-12
161 students and their parents are afforded numerous statutory
162 rights including, but not limited to, the following:

163 (2) ATTENDANCE.—

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

173 (6) EDUCATIONAL CHOICE.—

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



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

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

196 1. Under the McKay Scholarships for Students with
197 Disabilities Program, the parent of a public school student with
198 a disability may request and receive a McKay Scholarship for the
199 student to attend a private school in accordance with s.
200 1002.39.

201 2. Under the Florida Tax Credit Scholarship Program, the
202 parent of a student who qualifies for free or reduced-price
203 school lunch or who is currently placed, or during the previous
204 state fiscal year was placed, in foster care as defined in s.
205 39.01 may seek a scholarship from an eligible nonprofit
206 scholarship-funding organization in accordance with s. 1002.395.

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

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



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

217 (c) *Home education.*—The parent of a student may choose to
218 place the student in a home education program, as defined in s.
219 1002.01(1), in accordance with ~~the provisions of~~ s. 1002.41.

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

223 Section 8. Paragraph (b) of subsection (6) of section
224 1002.33, Florida Statutes, is amended to read:

225 1002.33 Charter schools.—

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

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

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



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

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

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



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

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

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

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

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

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



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

305
306 Material noncompliance is a failure to follow requirements or a
307 violation of prohibitions applicable to charter school
308 applications, which failure is quantitatively or qualitatively
309 significant either individually or when aggregated with other
310 noncompliance. An applicant is considered to be replicating a
311 high-performing charter school if the proposed school is
312 substantially similar to at least one of the applicant's high-
313 performing charter schools and the organization or individuals
314 involved in the establishment and operation of the proposed
315 school are significantly involved in the operation of replicated
316 schools.

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

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



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331 approved charter school.

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

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

342 1002.331 High-performing charter schools.—

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

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

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

352 (c) Did not receive a financial audit that revealed one or
353 more of the financial emergency conditions set forth in s.
354 218.503(1) in the most recent 3 fiscal years for which such
355 audits are available. However, this requirement is deemed met
356 for a charter school-in-the-workplace if there is a finding in
357 an audit that the school has the monetary resources available to
358 cover any reported deficiency or that the deficiency does not
359 result in a deteriorating financial condition pursuant to s.



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360 1002.345(1)(a)3.

361

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

368 Section 10. Present subsections (11) and (12) of section
369 1002.333, Florida Statutes, are redesignated as subsections (12)
370 and (13), respectively, a new subsection (11) is added to that
371 section, and subsections (1) and (2), paragraph (a) of
372 subsection (4), paragraphs (b), (g), and (i) of subsection (5),
373 paragraph (a) of subsection (7), subsection (9), and paragraph
374 (b) of subsection (10) of that section are amended, to read:

375 1002.333 Persistently low-performing schools.—

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

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

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

386 (c) "School of hope" means:

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



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

392 2. A school operated by a hope operator pursuant to s.
393 1008.33(4)(b)3.b. ~~s. 1008.33(4)(b)3.~~

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

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

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

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

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

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

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

417 6. Other outcome measures as determined by the State Board



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418 of Education;

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

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

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

428

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

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

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

443 1. An academic focus and plan.

444 2. A financial plan.

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



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- 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



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

479 (7) FACILITIES.—

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

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

502
503 The local governing authority shall not adopt or impose any
504 local building requirements or site-development restrictions,



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

521 (9) FUNDING.—

522 (a) Schools of hope shall be funded in accordance with s.
523 1002.33(17).

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

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

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

533 (e) Schools of hope that meet the definition under



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534 subparagraph (1)(c)2. are eligible to receive funds from the
535 hope supplemental services allocation established under s.
536 1011.62(16).

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

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

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

558 2. Establish clearly defined and measurable high academic
559 and character standards.

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

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



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

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

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

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

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

578 1002.334 Franchise model schools.-

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

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

589 (3) A franchise model school principal:

590 (a) Must be rated as highly effective pursuant to s.
591 1012.34;



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

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

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

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

606 1002.385 The Gardiner Scholarship.—

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

608 (d) "Disability" means, for a 3- or 4-year-old child or for
609 a student in kindergarten to grade 12, autism spectrum disorder,
610 as defined in the Diagnostic and Statistical Manual of Mental
611 Disorders, Fifth Edition, published by the American Psychiatric
612 Association; cerebral palsy, as defined in s. 393.063(6); Down
613 syndrome, as defined in s. 393.063(15); an intellectual
614 disability, as defined in s. 393.063(24); Phelan-McDermid
615 syndrome, as defined in s. 393.063(28); Prader-Willi syndrome,
616 as defined in s. 393.063(29); spina bifida, as defined in s.
617 393.063(40); being a high-risk child, as defined in s.
618 393.063(23) (a); muscular dystrophy; Williams syndrome; a rare
619 disease, a disorder that affects ~~diseases which affect~~ patient
620 populations of ~~fewer than~~ 200,000 individuals or fewer in the



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

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

634 (d) Enrollment in, or tuition or fees associated with
635 enrollment in, a home education program, an eligible private
636 school, an eligible postsecondary educational institution or a
637 program offered by the institution, ~~a private tutoring program~~
638 ~~authorized under s. 1002.43,~~ a virtual program offered by a
639 department-approved private online provider that meets the
640 provider qualifications specified in s. 1002.45(2)(a), the
641 Florida Virtual School as a private paying student, or an
642 approved online course offered pursuant to s. 1003.499 or s.
643 1004.0961.

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



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650 "part-time tutoring services" does not qualify as regular school
651 attendance as defined in s. 1003.01(13) ~~s. 1003.01(13)(e)~~.

652

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

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

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

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

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

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

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



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679 the parent.

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

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

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

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

695 (e) Provide a report from an independent certified public
696 accountant who performs the agreed-upon procedures developed
697 under s. 1002.395(6)(o) if the private school receives more than
698 \$250,000 in funds from scholarships awarded under this chapter
699 ~~section~~ in a state fiscal year. A private school subject to this
700 paragraph must annually submit the report by September 15 to the
701 organization that awarded the majority of the school's
702 scholarship funds. The agreed-upon procedures must be conducted
703 in accordance with attestation standards established by the
704 American Institute of Certified Public Accountants.

705

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



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

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

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

725 1. Affirm that the student is enrolled in a program that
726 meets regular school attendance requirements as provided in s.
727 1003.01(13)(b) or (c) ~~s. 1003.01(13)(b)-(d)~~.

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

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

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

735 b. Providing an annual evaluation in accordance with s.
736 1002.41(1)(c); or



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

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

747
748 A parent who fails to comply with this subsection forfeits the
749 Gardiner Scholarship.

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

753 1002.39 The John M. McKay Scholarships for Students with
754 Disabilities Program.—There is established a program that is
755 separate and distinct from the Opportunity Scholarship Program
756 and is named the John M. McKay Scholarships for Students with
757 Disabilities Program.

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

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

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

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



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766 pursuant to this chapter;

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

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

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

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

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

783 (h) ~~(i)~~ If he or she has been issued a temporary 504
784 accommodation plan under s. 504 of the Rehabilitation Act of
785 1973 which is valid for 6 months or less.

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

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



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795 enrollment and attendance of students, the credentials of
796 teachers, background screening of teachers, and teachers'
797 fingerprinting results, which information is required by rules
798 of the State Board of Education, subsection (8), and s.
799 1002.421. The Department of Education may ~~not~~ make followup more
800 than three random site visits at any time to any school that has
801 received a notice of noncompliance or a notice of proposed
802 action within the previous 2 years pursuant to subsection (7)
803 ~~each year and may not make more than one random site visit each~~
804 ~~year to the same private school.~~

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

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

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

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



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

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

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

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

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

838 (e) If the private school that participates in a state
839 scholarship program under this chapter receives more than
840 \$250,000 in funds from scholarships awarded under chapter 1002
841 in a state fiscal year, provide an annual report from an
842 independent certified public accountant who performs the agreed-
843 upon procedures developed under s. 1002.395(6)(o). Such a
844 private school must annually submit the required report by
845 September 15 to the organization that awarded the majority of
846 the school's scholarship funds. The agreed-upon procedures must
847 be conducted in accordance with attestation standards
848 established by the American Institute of Certified Public
849 Accountants.

850
851 The failure or refusal ~~inability~~ of a private school to meet the
852 requirements of this subsection shall constitute a basis for the



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

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

858 1002.395 Florida Tax Credit Scholarship Program.—

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

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

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

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

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

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

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

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

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

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



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



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

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

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

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

925
926 Information and documentation provided to the Department of
927 Education and the Auditor General relating to the identity of a
928 taxpayer that provides an eligible contribution under this
929 section shall remain confidential at all times in accordance
930 with s. 213.053.

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

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

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



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

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

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

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

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

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

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



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969 this section at the school's physical location.

970 (e) Provide a report from an independent certified public
971 accountant who performs the agreed-upon procedures developed
972 under paragraph (6) (o) if the private school receives more than
973 \$250,000 in funds from scholarships awarded under this chapter
974 ~~section~~ in a state fiscal year. A private school subject to this
975 paragraph must annually submit the report by September 15 to the
976 scholarship-funding organization that awarded the majority of
977 the school's scholarship funds. The agreed-upon procedures must
978 be conducted in accordance with attestation standards
979 established by the American Institute of Certified Public
980 Accountants.

981
982 If a private school fails or refuses ~~is unable~~ to meet the
983 requirements of this subsection or has consecutive years of
984 material exceptions listed in the report required under
985 paragraph (e), the commissioner may determine that the private
986 school is ineligible to participate in the scholarship program
987 as determined by the Department of Education.

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

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



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998 teachers, and teachers' fingerprinting results. ~~The Department~~
999 ~~of Education may not make more than seven site visits each year;~~
1000 ~~however,~~ The department may make followup additional site visits
1001 at any time to any school that, pursuant to subsection (11), has
1002 received a notice of noncompliance or a notice of proposed
1003 action within the previous 2 years.

1004 2. Annually, by December 15, report to the Governor, the
1005 President of the Senate, and the Speaker of the House of
1006 Representatives the Department of Education's actions with
1007 respect to implementing accountability in the scholarship
1008 program under this section and s. 1002.421, any substantiated
1009 allegations or violations of law or rule by an eligible private
1010 school under this program concerning the enrollment and
1011 attendance of students, the credentials of teachers, background
1012 screening of teachers, and teachers' fingerprinting results and
1013 the corrective action taken by the Department of Education.

1014 Section 15. Section 1002.40, Florida Statutes, is created
1015 to read:

1016 1002.40 The Hope Scholarship Program.-

1017 (1) PURPOSE.-The Hope Scholarship Program is established to
1018 provide the parent of a public school student who was the victim
1019 of a substantiated incident of violence or abuse, as listed in
1020 subsection (3), an opportunity to transfer the student to
1021 another public school that has capacity or to request and
1022 receive a scholarship for the student to enroll in and attend an
1023 eligible private school.

1024 (2) DEFINITIONS.-As used in this section, the term:

1025 (a) "Department" means the Department of Education.

1026 (b) "Eligible contribution" or "contribution" means a



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1027 monetary contribution from a person required to pay sales and
1028 use tax on the purchase or acquisition of a motor vehicle,
1029 subject to the restrictions provided in this section, to an
1030 eligible nonprofit scholarship-funding organization. The
1031 taxpayer making the contribution may not designate a specific
1032 student as the beneficiary of the contribution.

1033 (c) "Eligible nonprofit scholarship-funding organization"
1034 or "organization" has the same meaning as provided in s.
1035 1002.395(2) (f), as determined by the department.

1036 (d) "Eligible private school" has the same meaning as
1037 provided in s. 1002.395(2) (g), as determined by the department.

1038 (e) "Motor vehicle" has the same meaning as provided in s.
1039 320.01(1) (a), but does not include heavy trucks, truck tractors,
1040 trailers, and motorcycles.

1041 (f) "Parent" means a resident of this state who is a
1042 parent, as defined in s. 1000.21, and whose public school
1043 student was the victim of a reported incident, as listed in
1044 subsection (3).

1045 (g) "Principal" means the principal or his or her designee.

1046 (h) "Program" means the Hope Scholarship Program.

1047 (i) "School" includes any educational program or activity
1048 conducted by a public K-12 educational institution, any school-
1049 related or school-sponsored program or activity, and riding on a
1050 school bus, as defined in s. 1006.25(1), including waiting at a
1051 school bus stop.

1052 (j) "Unweighted FTE funding amount" means the statewide
1053 average total funds per unweighted full-time equivalent funding
1054 amount that is incorporated by reference in the General
1055 Appropriations Act for the applicable state fiscal year.



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1056 (3) PROGRAM ELIGIBILITY.—Beginning with the 2018-2019
1057 school year, contingent upon available funds, and on a first-
1058 come, first-served basis, a student enrolled full time in a
1059 Florida public school in kindergarten through grade 12 is
1060 eligible for a scholarship under this program if all of the
1061 following conditions are met:

1062 (a) The student is the victim of a substantiated incident
1063 of battery; harassment; hazing; bullying; kidnapping; physical
1064 attack; robbery; sexual offenses, harassment, assault, or
1065 battery; threat or intimidation; or fighting at school.

1066 (b) The incident is formally reported by the victim or the
1067 victim's parent to the principal.

1068 (c) Through an investigation, the principal finds that the
1069 incident is substantiated.

1070 (d) The principal's investigation remains open or the
1071 district's resolution of issues related to the incident remain
1072 unresolved after timely notification, deliberative evaluation,
1073 and 30 days of responsible and appropriate action taken in
1074 accordance with paragraph (5) (a).

1075 (4) PROGRAM PROHIBITIONS.—Payment of a scholarship may not
1076 be made if a student is:

1077 (a) Enrolled in a public school, including, but not limited
1078 to, the Florida School for the Deaf and the Blind; the College-
1079 Preparatory Boarding Academy; the Florida Virtual School; a
1080 developmental research school authorized under s. 1002.32; or a
1081 charter school authorized under s. 1002.33, s. 1002.331, s.
1082 1002.332, or s. 1002.333;

1083 (b) Enrolled in a school operating for the purpose of
1084 providing educational services to youth in the Department of



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1085 Juvenile Justice commitment programs;
1086 (c) Participating in a virtual school, correspondence
1087 school, or distance learning program that receives state funding
1088 pursuant to the student's participation unless the participation
1089 is limited to no more than two courses per school year;
1090 (d) Receiving any other educational scholarship pursuant to
1091 this chapter; or
1092 (e) Participating in a home education program, as defined
1093 in s. 1002.01.
1094 (5) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.—
1095 (a)1. Within 24 hours after receipt of a formal report of
1096 an incident listed in subsection (3)(a), the principal shall
1097 provide a copy of the report to the victim's parent and the
1098 alleged offender's parent. The report must include a statement
1099 of the expected investigative actions and the timeline for
1100 reporting the outcome of the investigation. Within 24 hours
1101 after receipt of the formal report, the principal must also
1102 provide the superintendent with a copy of the report and
1103 verification that the parents of the victim and the alleged
1104 offender have been provided a copy of the incident report and
1105 other required information.
1106 2. In accordance with s. 1006.09, the principal must
1107 investigate the incident to determine if the incident is
1108 substantiated or unsubstantiated, and if the incident must be
1109 reported. The principal may, at his or her discretion, determine
1110 the extent to which each student was engaged in instigating,
1111 initiating, or reacting to a physical altercation, and may
1112 consider such information when evaluating and determining
1113 appropriate disciplinary actions and investigation outcomes.



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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



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1143 scholarship-funding organization that verifies the student's
1144 eligibility.

1145 6. To facilitate timely, appropriate, and fiscally
1146 accountable scholarship payments, school districts must report
1147 and verify student enrollment information during and outside of
1148 regular FTE student enrollment survey periods, as requested by
1149 the department pursuant to paragraph (7) (d).

1150 (b)1. A parent who, pursuant to s. 1002.31, chooses to
1151 enroll his or her student in a Florida public school located
1152 outside the district in which the student resides shall be
1153 eligible for a scholarship under paragraph (11) (b) to transport
1154 the student.

1155 2. For each student participating in the program in a
1156 private school who chooses to participate in the statewide
1157 assessments under s. 1008.22 or the Florida Alternate
1158 Assessment, the school district in which the student resides
1159 must notify the student and his or her parent about the
1160 locations and times to take all statewide assessments.

1161 (6) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible
1162 private school may be sectarian or nonsectarian and shall:

1163 (a) Meet the definition of a private school in s. 1002.01
1164 and comply with all requirements for private schools
1165 participating in state school choice scholarship programs
1166 pursuant to this section and s. 1002.421.

1167 (b) Provide to the organization and the department, upon
1168 request, all documentation required for the student's
1169 participation, including, but not limited to, the private
1170 school's and the student's fee schedules.

1171 (c) Be academically accountable to the parent for meeting



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1172 the educational needs of the student by:
1173 1. At a minimum, annually providing to the parent a written
1174 explanation of the student's progress.
1175 2. Annually administering or making provision for students
1176 participating in the program in grades 3 through 10 to take one
1177 of the nationally norm-referenced tests identified by the
1178 department or the statewide assessments pursuant to s. 1008.22.
1179 Students with disabilities for whom standardized testing is not
1180 appropriate are exempt from this requirement. A participating
1181 private school shall report a student's scores to his or her
1182 parent.
1183 3. Cooperating with the student whose parent chooses to
1184 have the student participate in the statewide assessments
1185 pursuant to s. 1008.22 or, if a private school chooses to offer
1186 the statewide assessments, administering the assessments at the
1187 school.
1188 a. A participating private school may choose to offer and
1189 administer the statewide assessments to all students who attend
1190 the private school in grades 3 through 10.
1191 b. A participating private school shall submit a request in
1192 writing to the department by March 1 of each year in order to
1193 administer the statewide assessments in the subsequent school
1194 year.
1195 (d) Employ or contract with teachers who have regular and
1196 direct contact with each student receiving a scholarship under
1197 this section at the school's physical location.
1198 (e) Maintain in this state a physical location where a
1199 scholarship student regularly attends classes.
1200 (f) Provide a report from an independent certified public



1201 accountant who performs the agreed-upon procedures developed
1202 under s. 1002.395(6) (o) if the private school receives more than
1203 \$250,000 in funds from scholarships awarded under this section
1204 in a state fiscal year. A private school subject to this
1205 paragraph must annually submit the report by September 15 to the
1206 organization that awarded the majority of the school's
1207 scholarship funds. The agreed-upon procedures must be conducted
1208 in accordance with attestation standards established by the
1209 American Institute of Certified Public Accountants.

1210
1211 The failure of a private school to meet the requirements of this
1212 subsection constitutes a basis for the ineligibility of the
1213 private school to participate in the program, as determined by
1214 the department.

1215 (7) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department
1216 shall:

1217 (a) Establish a toll-free hotline that provides parents and
1218 private schools with information on participation in the
1219 program.

1220 (b) Annually verify the eligibility of private schools that
1221 meet the requirements of subsection (6).

1222 (c) Require an annual notarized and sworn compliance
1223 statement by participating private schools certifying compliance
1224 with state laws and retain such records.

1225 (d) Cross-check the list of participating students with the
1226 public school enrollment lists and participation lists in other
1227 scholarship programs established under this chapter before each
1228 scholarship payment to avoid duplication.

1229 (e) Maintain a list of nationally norm-referenced tests



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1230 identified for purposes of satisfying the testing requirement in
1231 paragraph (9) (f). The tests must meet industry standards of
1232 quality in accordance with State Board of Education rule.

1233 (f) Require quarterly reports by an eligible nonprofit
1234 scholarship-funding organization regarding the number of
1235 students participating in the scholarship program, the private
1236 schools in which the students are enrolled, and other
1237 information deemed necessary by the department.

1238 (g) Contract with an independent entity to provide an
1239 annual evaluation of the program by:

1240 1. Reviewing the school climate and code of student conduct
1241 of each public school that reported the occurrence of a monthly
1242 average of 10 or more substantiated incidents to determine areas
1243 in the school or school district procedures involving reporting,
1244 investigating, and communicating a parent's and student's rights
1245 which are in need of improvement. At a minimum, the review must
1246 include:

1247 a. An assessment of the investigation time and quality of
1248 the response of the school and the school district;

1249 b. An assessment of the effectiveness of communication
1250 procedures with the students involved in an incident, the
1251 students' parents, and the school and school district personnel;

1252 c. An analysis of school incident and discipline data; and

1253 d. The challenges and obstacles relating to implementing
1254 recommendations from this review.

1255 2. Reviewing the school climate and code of student conduct
1256 of each public school a student transferred to if the student
1257 was from a school identified in subparagraph 1. in order to
1258 identify best practices and make recommendations to a public



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1259 school at which the incidents occurred.

1260 3. Reviewing the performance of participating students
1261 enrolled in a private school in which the majority of the
1262 school's total enrolled students in the prior school year
1263 participated in one or more scholarship programs, as defined in
1264 s. 1002.01, in which there are at least 10 participating
1265 students who have scores for tests administered; and reviewing
1266 the school climate and code of student conduct of the private
1267 school if one or more scholarship participants were involved in
1268 a reported incident at the school during the prior school year.

1269 4. Surveying the parents of participating students to
1270 determine academic, safety, and school climate satisfaction and
1271 to identify any challenges or obstacles in addressing the
1272 incident or relating to the use of the scholarship.

1273 (h) Upon the request of a participating private school,
1274 provide at no cost to the school the statewide assessments
1275 administered under s. 1008.22 and any related materials for
1276 administering the assessments. Students at a private school may
1277 be assessed using the statewide assessments if the addition of
1278 those students and the school does not cause the state to exceed
1279 its contractual caps for the number of students tested and the
1280 number of testing sites. The state shall provide the same
1281 materials and support to a private school that it provides to a
1282 public school. A private school that chooses to administer
1283 statewide assessments under s. 1008.22 shall follow the
1284 requirements set forth in ss. 1008.22 and 1008.24, rules adopted
1285 by the State Board of Education to implement those sections, and
1286 district-level testing policies established by the district
1287 school board.



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1288 (i) Establish a process by which individuals may notify the
1289 department of any violation by a parent, private school, or
1290 school district of state laws relating to program participation.
1291 The department shall conduct an inquiry or make a referral to
1292 the appropriate agency for an investigation of any written
1293 complaint of a violation of this section if the complaint is
1294 signed by the complainant and is legally sufficient. A complaint
1295 is legally sufficient if such complaint contains ultimate facts
1296 that show that a violation of this section or any rule adopted
1297 by the State Board of Education pursuant to this section has
1298 occurred. In order to determine legal sufficiency, the
1299 department may require supporting information or documentation
1300 from the complainant. A department inquiry is not subject to the
1301 requirements of chapter 120.

1302 (j)1. Conduct site visits to participating private schools.
1303 The purpose of the site visits is solely to verify the
1304 information reported by the schools concerning the enrollment
1305 and attendance of students, the credentials of teachers,
1306 background screening of teachers, teachers' fingerprinting
1307 results, and other conditions required pursuant to s. 1002.421
1308 and this section. The department may not make more than seven
1309 site visits each year; however, the department may make
1310 additional site visits at any time to a school that is the
1311 subject of a violation complaint submitted pursuant to paragraph
1312 (i), is identified by an organization for a known or suspected
1313 violation, or has received a notice of noncompliance or a notice
1314 of proposed action within the current year or the previous 2
1315 years.

1316 2. Annually, by December 15, report to the Governor, the



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1317 President of the Senate, and the Speaker of the House of
1318 Representatives the department's actions with respect to
1319 implementing accountability in the program under this section
1320 and s. 1002.421, any substantiated allegations or violations of
1321 law or rule by an eligible private school under this program,
1322 and the corrective action taken by the department.

1323 (8) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.-

1324 (a) The Commissioner of Education:

1325 1. Shall deny, suspend, or revoke a private school's
1326 participation in the program if it is determined that the
1327 private school has failed to comply with the provisions of this
1328 section. However, if the noncompliance is correctable within a
1329 reasonable amount of time and if the health, safety, or welfare
1330 of the students is not threatened, the commissioner may issue a
1331 notice of noncompliance which provides the private school with a
1332 timeframe within which to provide evidence of compliance before
1333 taking action to suspend or revoke the private school's
1334 participation in the program.

1335 2. May deny, suspend, or revoke a private school's
1336 participation in the program if the commissioner determines that
1337 an owner or operator of the private school is operating or has
1338 operated an educational institution in this state or in another
1339 state or jurisdiction in a manner contrary to the health,
1340 safety, or welfare of the public.

1341 a. In making such a determination, the commissioner may
1342 consider factors that include, but are not limited to, acts or
1343 omissions by an owner or operator which led to a previous denial
1344 or revocation of participation in an education scholarship
1345 program; an owner's or operator's failure to reimburse the



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1346 department for scholarship funds improperly received or retained
1347 by a school; imposition of a prior criminal sanction related to
1348 an owner's or operator's management or operation of an
1349 educational institution; imposition of a civil fine or
1350 administrative fine, license revocation or suspension, or
1351 program eligibility suspension, termination, or revocation
1352 related to an owner's or operator's management or operation of
1353 an educational institution; or other types of criminal
1354 proceedings in which an owner or operator was found guilty of,
1355 regardless of adjudication, or entered a plea of nolo contendere
1356 or guilty to, any offense involving fraud, deceit, dishonesty,
1357 or moral turpitude.

1358 b. For purposes of this subparagraph, the term "owner or
1359 operator" includes an owner, operator, superintendent, or
1360 principal of, or a person who has equivalent decisionmaking
1361 authority over, a private school participating in the
1362 scholarship program.

1363 (b) The commissioner's determination is subject to the
1364 following:

1365 1. If the commissioner intends to deny, suspend, or revoke
1366 a private school's participation in the program, the department
1367 shall notify the private school of such proposed action in
1368 writing by certified mail and regular mail to the private
1369 school's address of record with the department. The notification
1370 shall include the reasons for the proposed action and notice of
1371 the timelines and procedures set forth in this paragraph.

1372 2. The private school that is adversely affected by the
1373 proposed action shall have 15 days after receipt of the notice
1374 of proposed action to file with the department's agency clerk a



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1375 request for a proceeding pursuant to ss. 120.569 and 120.57. If
1376 the private school is entitled to a hearing under s. 120.57(1),
1377 the department shall refer the request to the Division of
1378 Administrative Hearings.

1379 3. Upon receipt of a request referred pursuant to this
1380 paragraph, the director of the Division of Administrative
1381 Hearings shall expedite the hearing and assign an administrative
1382 law judge who shall commence a hearing within 30 days after the
1383 receipt of the formal written request by the division and enter
1384 a recommended order within 30 days after the hearing or within
1385 30 days after receipt of the hearing transcript, whichever is
1386 later. Each party shall be allowed 10 days in which to submit
1387 written exceptions to the recommended order. A final order shall
1388 be entered by the agency within 30 days after the entry of a
1389 recommended order. The provisions of this subparagraph may be
1390 waived upon stipulation by all parties.

1391 (c) The commissioner may immediately suspend payment of
1392 scholarship funds if it is determined that there is probable
1393 cause to believe that there is:

1394 1. An imminent threat to the health, safety, or welfare of
1395 the students; or

1396 2. Fraudulent activity on the part of the private school.
1397 Notwithstanding s. 1002.22, in incidents of alleged fraudulent
1398 activity pursuant to this section, the department's Office of
1399 Inspector General is authorized to release personally
1400 identifiable records or reports of students to the following
1401 persons or organizations:

1402 a. A court of competent jurisdiction in compliance with an
1403 order of that court or the attorney of record in accordance with



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1404 a lawfully issued subpoena, consistent with the Family
1405 Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

1406 b. A person or entity authorized by a court of competent
1407 jurisdiction in compliance with an order of that court or the
1408 attorney of record pursuant to a lawfully issued subpoena,
1409 consistent with the Family Educational Rights and Privacy Act,
1410 20 U.S.C. s. 1232g.

1411 c. Any person, entity, or authority issuing a subpoena for
1412 law enforcement purposes when the court or other issuing agency
1413 has ordered that the existence or the contents of the subpoena
1414 or the information furnished in response to the subpoena not be
1415 disclosed, consistent with the Family Educational Rights and
1416 Privacy Act, 20 U.S.C. s. 1232g, and 34 C.F.R. s. 99.31.

1417
1418 The commissioner's suspension of payment pursuant to this
1419 paragraph may be appealed pursuant to the same procedures and
1420 timelines as the notice of proposed action set forth in
1421 paragraph (b).

1422 (9) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
1423 PARTICIPATION.—A parent who applies for a Hope Scholarship is
1424 exercising his or her parental option to place his or her
1425 student in an eligible private school.

1426 (a) The parent must select an eligible private school and
1427 apply for the admission of his or her student.

1428 (b) The parent must inform the student's school district
1429 when the parent withdraws his or her student to attend an
1430 eligible private school.

1431 (c) Any student participating in the program must comply
1432 with the regular attendance requirements of s. 1003.01(13) and



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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



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1462 eligible students by:

1463 (a) Receiving applications and determining student
1464 eligibility in accordance with the requirements of this section.

1465 (b) Notifying parents of their receipt of a scholarship on
1466 a first-come, first-served basis, based upon available funds.

1467 (c) Preparing and submitting quarterly and annual reports
1468 to the department pursuant to paragraphs (7)(f) and (g). In
1469 addition, an eligible nonprofit scholarship-funding organization
1470 must submit in a timely manner any information requested by the
1471 department relating to the scholarship program.

1472 (d) Notifying the department of any known or suspected
1473 violation of this section by a private school, parent, or
1474 student.

1475 (11) FUNDING AND PAYMENT.—

1476 (a) The maximum amount awarded to a student enrolled in an
1477 eligible private school shall be determined as a percentage of
1478 the unweighted FTE funding amount for that state fiscal year and
1479 thereafter as follows:

1480 1. Eighty-eight percent for a student enrolled in
1481 kindergarten through grade 5.

1482 2. Ninety-two percent for a student enrolled in grade 6
1483 through grade 8.

1484 3. Ninety-six percent for a student enrolled in grade 9
1485 through grade 12.

1486 (b) The maximum amount awarded to a student enrolled in a
1487 Florida public school located outside of the district in which
1488 the student resides shall be \$750.

1489 (c) When a student enters the program, the organization
1490 must receive all documentation required for the student's



1491 participation, including a copy of the report of the
1492 substantiated incident received pursuant to subsection (5) and
1493 the private school's and the student's fee schedules. The
1494 initial payment shall be made after verification of admission
1495 acceptance, and subsequent payments shall be made upon
1496 verification of continued enrollment and attendance at the
1497 private school.

1498 (d) Payment of the scholarship by the eligible nonprofit
1499 scholarship-funding organization may be by individual warrant
1500 made payable to the student's parent or by funds transfer made
1501 by debit cards, electronic payment cards, or other means of
1502 payment which the department deems to be commercially viable or
1503 cost-effective. If payment is made by warrant, the warrant must
1504 be delivered by the eligible nonprofit scholarship-funding
1505 organization to the private school of the parent's choice, and
1506 the parent shall restrictively endorse the warrant to the
1507 private school. If payment is made by funds transfer, the parent
1508 must approve each payment before the scholarship funds may be
1509 deposited. The parent may not designate any entity or individual
1510 associated with the participating private school as the parent's
1511 attorney in fact to endorse a scholarship warrant or approve a
1512 funds transfer.

1513 (e) An eligible nonprofit scholarship-funding organization
1514 shall obtain verification from the private school of a student's
1515 continued attendance at the school for each period covered by a
1516 scholarship payment.

1517 (f) Payment of the scholarship shall be made by the
1518 eligible nonprofit scholarship-funding organization no less
1519 frequently than on a quarterly basis.



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1520 (g) An organization may use up to 3 percent of eligible
1521 contributions received during the state fiscal year in which
1522 such contributions are collected for administrative expenses if
1523 the organization has operated as an eligible nonprofit
1524 scholarship-funding organization for at least the preceding 3
1525 fiscal years and did not have any findings of material weakness
1526 or material noncompliance in its most recent audit under s.
1527 1002.395(6)(m). Such administrative expenses must be reasonable
1528 and necessary for the organization's management and distribution
1529 of eligible contributions under this section. Funds authorized
1530 under this paragraph may not be used for lobbying or political
1531 activity or expenses related to lobbying or political activity.
1532 Up to one-third of the funds authorized for administrative
1533 expenses under this paragraph may be used for expenses related
1534 to the recruitment of contributions from taxpayers. An eligible
1535 nonprofit scholarship-funding organization may not charge an
1536 application fee.

1537 (h) Moneys received pursuant to this section do not
1538 constitute taxable income to the qualified student or his or her
1539 parent.

1540 (12) OBLIGATIONS OF THE AUDITOR GENERAL.—

1541 (a) The Auditor General shall conduct an annual operational
1542 audit of accounts and records of each organization that
1543 participates in the program. As part of this audit, the Auditor
1544 General shall verify, at a minimum, the total number of students
1545 served and transmit that information to the department. The
1546 Auditor General shall provide the commissioner with a copy of
1547 each annual operational audit performed pursuant to this
1548 subsection within 10 days after the audit is finalized.



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1549 (b) The Auditor General shall notify the department of any
1550 organization that fails to comply with a request for
1551 information.

1552 (13) SCHOLARSHIP FUNDING TAX CREDITS.-

1553 (a) A tax credit is available under s. 212.1832 for use by
1554 a taxpayer that makes an eligible contribution to the program.
1555 Each eligible contribution is limited to a single payment of \$20
1556 at the time of purchase of a motor vehicle or a single payment
1557 of \$20 at the time of registration of a motor vehicle that was
1558 not purchased from a dealer. An eligible contribution shall be
1559 accompanied by an election to contribute to the program and
1560 shall be made by the purchaser at the time of purchase or at the
1561 time of registration on a form provided by the Department of
1562 Revenue. Payments of contributions shall be made to a dealer, as
1563 defined in chapter 212, at the time of purchase of a motor
1564 vehicle or to an agent of the Department of Revenue, as
1565 designated by s. 212.06(10), at the time of registration of a
1566 motor vehicle that was not purchased from a dealer.

1567 (b) A tax collector or any person or firm authorized to
1568 sell or issue a motor vehicle license who is designated as an
1569 agent of the Department of Revenue pursuant to s. 212.06(10) or
1570 who is a dealer shall:

1571 1. Provide the purchaser the contribution election form, as
1572 prescribed by the Department of Revenue, at the time of purchase
1573 of a motor vehicle or at the time of registration of a motor
1574 vehicle that was not purchased from a dealer.

1575 2. Collect eligible contributions.

1576 3. Using a form provided by the Department of Revenue,
1577 which shall include the dealer's or agent's federal employer



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1578 identification number, remit to an organization on or before the
1579 20th day of each month the total amount of contributions made to
1580 that organization and collected during the preceding calendar
1581 month.

1582 4. Report on each return filed with the Department of
1583 Revenue the total amount of credits allowed under s. 212.1832
1584 during the preceding calendar month.

1585 (c) An organization shall report to the Department of
1586 Revenue, on or before the 20th day of each month, the total
1587 amount of contributions received pursuant to paragraph (b) in
1588 the preceding calendar month on a form provided by the
1589 Department of Revenue. Such report shall include the federal
1590 employer identification number of each tax collector, authorized
1591 agent of the Department of Revenue, or dealer who remitted
1592 contributions to the organization during that reporting period.

1593 (d) A person who, with intent to unlawfully deprive or
1594 defraud the program of its moneys or the use or benefit thereof,
1595 fails to remit a contribution collected under this section is
1596 guilty of theft of charitable funds, punishable as follows:

1597 1. If the total amount stolen is less than \$300, the
1598 offense is a misdemeanor of the second degree, punishable as
1599 provided in s. 775.082 or s. 775.083. Upon a second conviction,
1600 the offender is guilty of a misdemeanor of the first degree,
1601 punishable as provided in s. 775.082 or s. 775.083. Upon a third
1602 or subsequent conviction, the offender is guilty of a felony of
1603 the third degree, punishable as provided in s. 775.082, s.
1604 775.083, or s. 775.084.

1605 2. If the total amount stolen is \$300 or more, but less
1606 than \$20,000, the offense is a felony of the third degree,



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1607 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1608 3. If the total amount stolen is \$20,000 or more, but less
1609 than \$100,000, the offense is a felony of the second degree,
1610 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1611 4. If the total amount stolen is \$100,000 or more, the
1612 offense is a felony of the first degree, punishable as provided
1613 in s. 775.082, s. 775.083, or s. 775.084.

1614 (e) A person convicted of an offense under paragraph (d)
1615 shall be ordered by the sentencing judge to make restitution to
1616 the organization in the amount that was stolen from the program.

1617 (14) LIABILITY.—The state is not liable for the award or
1618 any use of awarded funds under this section.

1619 (15) SCOPE OF AUTHORITY.—This section does not expand the
1620 regulatory authority of this state, its officers, or any school
1621 district to impose additional regulation on participating
1622 private schools beyond those reasonably necessary to enforce
1623 requirements expressly set forth in this section.

1624 (16) RULES.—The State Board of Education shall adopt rules
1625 to administer this section.

1626 Section 16. Present subsection (7) of section 1002.421,
1627 Florida Statutes, is amended and redesignated as subsection
1628 (11), a new subsection (7) and subsections (8), (9), and (10)
1629 are added to that section, and subsection (1), paragraphs (h)
1630 and (i) of subsection (2), and subsections (4) and (5) of that
1631 section are amended, to read:

1632 1002.421 Accountability of private schools participating in
1633 state school choice scholarship programs.—

1634 (1) (a) A Florida private school participating in the
1635 Florida Tax Credit Scholarship Program established pursuant to



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1636 s. 1002.395 or an educational scholarship program established
1637 pursuant to this chapter must comply with all requirements of
1638 this section in addition to private school requirements outlined
1639 in s. 1002.42, specific requirements identified within
1640 respective scholarship program laws, and other provisions of
1641 Florida law that apply to private schools.

1642 (b) For purposes of this section, the term "owner or
1643 operator" includes an owner, operator, superintendent, or
1644 principal of an eligible private school or a person with
1645 equivalent decisionmaking authority over an eligible private
1646 school.

1647 (2) A private school participating in a scholarship program
1648 must be a Florida private school as defined in s. 1002.01(2),
1649 must be registered in accordance with s. 1002.42, and must:

1650 (h) Employ or contract with teachers who:

1651 1. Unless otherwise specified under this paragraph, hold
1652 baccalaureate or higher degrees, have at least 3 years of
1653 teaching experience in public or private schools, or have
1654 objectively identified special skills, knowledge, or expertise
1655 that qualifies them to provide instruction in subjects taught.

1656 2. Hold baccalaureate or higher degrees from a regionally
1657 or nationally accredited college or university in the United
1658 States or from a recognized college or university in another
1659 country. This subparagraph applies to full-time teachers hired
1660 after July 1, 2018, who are teaching students in grade 2 or
1661 above.

1662
1663 The private school must report to the department, in a format
1664 developed by the department, the qualifications of each teacher



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1665 hired by the school, including, but not limited to, an
1666 explanation of the objectively identified special skills or
1667 expertise of such teachers, as applicable. Additionally, the
1668 private school must provide to the parent of each scholarship
1669 student, on the school's website or on a written form provided
1670 by the school, the qualifications of each classroom teacher.

1671 (i) Require each employee and contracted personnel with
1672 direct student contact, upon employment or engagement to provide
1673 services, to undergo a state and national background screening,
1674 pursuant to s. 943.0542, by electronically filing with the
1675 Department of Law Enforcement a complete set of fingerprints
1676 taken by an authorized law enforcement agency or an employee of
1677 the private school, a school district, or a private company who
1678 is trained to take fingerprints and deny employment to or
1679 terminate an employee if he or she fails to meet the screening
1680 standards under s. 435.04. Results of the screening shall be
1681 provided to the participating private school. For purposes of
1682 this paragraph:

1683 1. An "employee or contracted personnel with direct student
1684 contact" means any employee or contracted personnel who has
1685 unsupervised access to a scholarship student for whom the
1686 private school is responsible.

1687 2. The costs of fingerprinting and the background check
1688 shall not be borne by the state.

1689 3. Continued employment of an employee or contracted
1690 personnel after notification that he or she has failed the
1691 background screening under this paragraph shall cause a private
1692 school to be ineligible for participation in a scholarship
1693 program.



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1694 4. An employee or contracted personnel holding a valid
1695 Florida teaching certificate who has been fingerprinted pursuant
1696 to s. 1012.32 and who is not ineligible for employment pursuant
1697 to s. 1012.315 is not required to comply with the provisions of
1698 this paragraph.

1699 (4) A private school that accepts scholarship students
1700 under this chapter ~~s. 1002.39~~ or ~~s. 1002.395~~ must:

1701 (a) Disqualify instructional personnel and school
1702 administrators, as defined in s. 1012.01, from employment in any
1703 position that requires direct contact with students if the
1704 personnel or administrators are ineligible for such employment
1705 under s. 1012.315.

1706 (b) Adopt and faithfully implement policies establishing
1707 standards of ethical conduct for instructional personnel and
1708 school administrators. The policies must require all
1709 instructional personnel and school administrators, as defined in
1710 s. 1012.01, to complete training on the standards; establish the
1711 duty of instructional personnel and school administrators to
1712 report, and procedures for reporting, alleged misconduct by
1713 other instructional personnel and school administrators which
1714 affects the health, safety, or welfare of a student; and include
1715 an explanation of the liability protections provided under ss.
1716 39.203 and 768.095. A private school, or any of its employees,
1717 may not enter into a confidentiality agreement regarding
1718 terminated or dismissed instructional personnel or school
1719 administrators, or personnel or administrators who resign in
1720 lieu of termination, based in whole or in part on misconduct
1721 that affects the health, safety, or welfare of a student, and
1722 may not provide the instructional personnel or school



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1723 administrators with employment references or discuss the
1724 personnel's or administrators' performance with prospective
1725 employers in another educational setting, without disclosing the
1726 personnel's or administrators' misconduct. Any part of an
1727 agreement or contract that has the purpose or effect of
1728 concealing misconduct by instructional personnel or school
1729 administrators which affects the health, safety, or welfare of a
1730 student is void, is contrary to public policy, and may not be
1731 enforced.

1732 (c) Before employing instructional personnel or school
1733 administrators in any position that requires direct contact with
1734 students, conduct employment history checks of each of the
1735 personnel's or administrators' previous employers, screen the
1736 personnel or administrators through use of the educator
1737 screening tools described in s. 1001.10(5), and document the
1738 findings. If unable to contact a previous employer, the private
1739 school must document efforts to contact the employer.

1740
1741 The department shall suspend the payment of funds under this
1742 chapter ss. 1002.39 and 1002.395 to a private school that
1743 knowingly fails or refuses to comply with this subsection, and
1744 shall prohibit the school from enrolling new scholarship
1745 students, for 1 fiscal year and until the school complies.

1746 (5) The failure or refusal ~~inability~~ of a private school to
1747 meet the requirements of this section shall constitute a basis
1748 for the ineligibility of the private school to participate in a
1749 scholarship program as determined by the department.

1750 Additionally, a private school is ineligible to participate in a
1751 state scholarship program under this chapter if the owner or



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1752 operator of the private school was a debtor in a voluntary or
1753 involuntary bankruptcy petition within the most recent 5 years.

1754 (7) (a) The department must annually visit at least 5
1755 percent, and may annually visit up to 7 percent, of the private
1756 schools that participate in the state scholarship programs under
1757 this chapter. Site visits required under subsection (8) are not
1758 included in the annual site visits authorized under this
1759 paragraph.

1760 (b) The purposes of the site visits are to verify
1761 compliance with the provisions of this section aimed at
1762 protecting the health, safety, and welfare of students and to
1763 verify the information reported by the schools concerning the
1764 enrollment and attendance of students, the credentials of
1765 teachers, background screening of teachers, and teachers'
1766 fingerprinting results, as required by rules of the State Board
1767 of Education and this section.

1768 (c) The department may make followup site visits at any
1769 time to any school that has received a notice of noncompliance
1770 or a notice of proposed action within the previous 2 years, or
1771 for a cause that affects the health, safety, and welfare of a
1772 student.

1773 (8) (a) The department shall visit each private school that
1774 notifies the department of the school's intent to participate in
1775 a state scholarship program under this chapter.

1776 (b) The purpose of the site visit is to determine that the
1777 school meets the applicable state and local health, safety, and
1778 welfare codes and rules pursuant to this section.

1779 (9) The Division of State Fire Marshal shall annually
1780 provide to the department a fire safety inspection report,



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1781 prepared by the local fire departments or by entities with whom
1782 they contract to perform fire safety inspections of private
1783 schools, for each private school that participates in a state
1784 scholarship program under this chapter.

1785 (10) If a private school that participates in a state
1786 scholarship program under this chapter receives more than
1787 \$250,000 in funds from the scholarships awarded under this
1788 chapter in a state fiscal year, the school must provide to the
1789 department a report of the balance sheet and statement of income
1790 expenditures in accordance with generally accepted accounting
1791 procedures from an independent certified public accountant who
1792 performs the agreed-upon procedures.

1793 (11)-(7) The State Board of Education shall adopt rules
1794 pursuant to ss. 120.536(1) and 120.54 to administer and enforce
1795 this section.

1796 Section 17. Section 1002.43, Florida Statutes, is repealed.

1797 Section 18. Subsection (5) of section 1002.55, Florida
1798 Statutes, is amended to read:

1799 1002.55 School-year prekindergarten program delivered by
1800 private prekindergarten providers.—

1801 (5) (a) Notwithstanding paragraph (3) (b), a private
1802 prekindergarten provider may not participate in the Voluntary
1803 Prekindergarten Education Program if the provider has child
1804 disciplinary policies that do not prohibit children from being
1805 subjected to discipline that is severe, humiliating,
1806 frightening, or associated with food, rest, toileting, spanking,
1807 or any other form of physical punishment as provided in s.
1808 402.305(12).

1809 (b) Notwithstanding any other provision of law, if a



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1810 private prekindergarten provider has been cited for a class I
1811 violation, as defined by rule, the coalition may refuse to
1812 contract with the provider.

1813 Section 19. Subsection (13) of section 1003.01, Florida
1814 Statutes, is amended to read:

1815 1003.01 Definitions.—As used in this chapter, the term:

1816 (13) “Regular school attendance” means the actual
1817 attendance of a student during the school day as defined by law
1818 and rules of the State Board of Education. Regular attendance
1819 within the intent of s. 1003.21 may be achieved by a student’s
1820 full-time attendance in one of the following options:

1821 (a) A public school supported by public funds, including,
1822 but not limited to, the Florida School for the Deaf and the
1823 Blind, the Florida Virtual School, a developmental research
1824 school, and a charter school established pursuant to chapter
1825 1002.†

1826 ~~(b) A parochial, religious, or denominational school;~~

1827 (b)(e) A private school, as defined in s. 1002.01(2) and in
1828 compliance with s. 1002.42, including, but not limited to, a
1829 private parochial, religious, or denominational school; and a
1830 private school supported in whole or in part by tuition charges
1831 or by endowments or gifts. This option includes an eligible
1832 private school in which a student attends as a participant in a
1833 scholarship program, as defined in s. 1002.01(3).†

1834 (c)(d) A home education program, as defined in s.
1835 1002.01(1), which ~~that~~ meets the requirements of chapter 1002.†
1836 ~~or~~

1837 ~~(e) A private tutoring program that meets the requirements~~
1838 ~~of chapter 1002.~~



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1839 Section 20. Paragraph (f) of subsection (1) of section
1840 1003.26, Florida Statutes, is amended to read:
1841 1003.26 Enforcement of school attendance.—The Legislature
1842 finds that poor academic performance is associated with
1843 nonattendance and that school districts must take an active role
1844 in promoting and enforcing attendance as a means of improving
1845 student performance. It is the policy of the state that each
1846 district school superintendent be responsible for enforcing
1847 school attendance of all students subject to the compulsory
1848 school age in the school district and supporting enforcement of
1849 school attendance by local law enforcement agencies. The
1850 responsibility includes recommending policies and procedures to
1851 the district school board that require public schools to respond
1852 in a timely manner to every unexcused absence, and every absence
1853 for which the reason is unknown, of students enrolled in the
1854 schools. District school board policies shall require the parent
1855 of a student to justify each absence of the student, and that
1856 justification will be evaluated based on adopted district school
1857 board policies that define excused and unexcused absences. The
1858 policies must provide that public schools track excused and
1859 unexcused absences and contact the home in the case of an
1860 unexcused absence from school, or an absence from school for
1861 which the reason is unknown, to prevent the development of
1862 patterns of nonattendance. The Legislature finds that early
1863 intervention in school attendance is the most effective way of
1864 producing good attendance habits that will lead to improved
1865 student learning and achievement. Each public school shall
1866 implement the following steps to promote and enforce regular
1867 school attendance:



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1868 (1) CONTACT, REFER, AND ENFORCE.—
1869 (f)1. If the parent of a child who has been identified as
1870 exhibiting a pattern of nonattendance enrolls the child in a
1871 home education program pursuant to chapter 1002, the district
1872 school superintendent shall provide the parent a copy of s.
1873 1002.41 and the accountability requirements of this paragraph.
1874 The district school superintendent shall also refer the parent
1875 to a home education review committee composed of the district
1876 contact for home education programs and at least two home
1877 educators selected by the parent from a district list of all
1878 home educators who have conducted a home education program for
1879 at least 3 years and who have indicated a willingness to serve
1880 on the committee. The home education review committee shall
1881 review the portfolio of the student, as defined by s. 1002.41,
1882 every 30 days during the district's regular school terms until
1883 the committee is satisfied that the home education program is in
1884 compliance with s. 1002.41(1)(b). The first portfolio review
1885 must occur within the first 30 calendar days of the
1886 establishment of the program. The provisions of subparagraph 2.
1887 do not apply once the committee determines the home education
1888 program is in compliance with s. 1002.41(1)(b).
1889 2. If the parent fails to provide a portfolio to the
1890 committee, the committee shall notify the district school
1891 superintendent. The district school superintendent shall then
1892 terminate the home education program and require the parent to
1893 enroll the child in an attendance option that meets the
1894 definition of "regular school attendance" under s.
1895 1003.01(13)(a) or (b) ~~s. 1003.01(13)(a), (b), (c), or (e),~~
1896 within 3 days. Upon termination of a home education program



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1897 pursuant to this subparagraph, the parent shall not be eligible
1898 to reenroll the child in a home education program for 180
1899 calendar days. Failure of a parent to enroll the child in an
1900 attendance option as required by this subparagraph after
1901 termination of the home education program pursuant to this
1902 subparagraph shall constitute noncompliance with the compulsory
1903 attendance requirements of s. 1003.21 and may result in criminal
1904 prosecution under s. 1003.27(2). Nothing contained herein shall
1905 restrict the ability of the district school superintendent, or
1906 the ability of his or her designee, to review the portfolio
1907 pursuant to s. 1002.41(1)(b).

1908 Section 21. Paragraph (d) of subsection (2) of section
1909 1003.41, Florida Statutes, is amended and paragraph (f) is added
1910 to that subsection, to read:

1911 1003.41 Next Generation Sunshine State Standards.—

1912 (2) Next Generation Sunshine State Standards must meet the
1913 following requirements:

1914 (d) Social Studies standards must establish specific
1915 curricular content for, at a minimum, geography, United States
1916 and world history, government, civics, humanities, and
1917 economics, including financial literacy. Financial literacy
1918 includes the knowledge, understanding, skills, behaviors,
1919 attitudes, and values that will enable a student to make
1920 responsible and effective financial decisions on a daily basis.
1921 Financial literacy instruction shall be an integral part of
1922 instruction throughout the entire economics course and include
1923 information regarding earning income; buying goods and services;
1924 saving and financial investing; taxes; the use of credit and
1925 credit cards; budgeting and debt management, including student



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1926 loans and secured loans; banking and financial services;
1927 planning for one's financial future, including higher education
1928 and career planning; credit reports and scores; and fraud and
1929 identity theft prevention. The requirements for financial
1930 literacy specified under this paragraph do not apply to students
1931 entering grade 9 in the 2018-2019 school year and thereafter.

1932 (f) Effective for students entering grade 9 in the 2018-
1933 2019 school year and thereafter, financial literacy standards
1934 must establish specific curricular content for, at a minimum,
1935 personal financial literacy and money management. Financial
1936 literacy includes instruction in the areas specified in s.
1937 1003.4282(3) (h).

1938 Section 22. Paragraphs (d) and (g) of subsection (3) of
1939 section 1003.4282, Florida Statutes, are amended, and paragraph
1940 (h) is added to that subsection, to read:

1941 1003.4282 Requirements for a standard high school diploma.—

1942 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT
1943 REQUIREMENTS.—

1944 (d) *Three credits in social studies.*—A student must earn
1945 one credit in United States History; one credit in World
1946 History; one-half credit in economics, which must include
1947 financial literacy; and one-half credit in United States
1948 Government. The United States History EOC assessment constitutes
1949 30 percent of the student's final course grade. However, for a
1950 student entering grade 9 in the 2018-2019 school year or
1951 thereafter, financial literacy is not a required component of
1952 the one-half credit in economics.

1953 (g) ~~Eight~~ *Credits in Electives.*—School districts must
1954 develop and offer coordinated electives so that a student may



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1955 develop knowledge and skills in his or her area of interest,
1956 such as electives with a STEM or liberal arts focus. Such
1957 electives must include opportunities for students to earn
1958 college credit, including industry-certified career education
1959 programs or series of career-themed courses that result in
1960 industry certification or articulate into the award of college
1961 credit, or career education courses for which there is a
1962 statewide or local articulation agreement and which lead to
1963 college credit. A student entering grade 9 before the 2018-2019
1964 school year must earn eight credits in electives. A student
1965 entering grade 9 in the 2018-2019 school year or thereafter must
1966 earn seven and one-half credits in electives.

1967 (h) One-half credit in personal financial literacy.-
1968 Beginning with students entering grade 9 in the 2018-2019 school
1969 year, each student shall earn one-half credit in personal
1970 financial literacy and money management. This instruction must
1971 include discussion of or instruction in the following:

1972 1. Types of bank accounts offered, opening and managing a
1973 bank account, and assessing the quality of a depository
1974 institution's services.

1975 2. Balancing a checkbook.

1976 3. Basic principles of money management, such as spending,
1977 credit, credit scores, and managing debt, including retail and
1978 credit card debt.

1979 4. Completing a loan application.

1980 5. Receiving an inheritance and related implications.

1981 6. Basic principles of personal insurance policies.

1982 7. Computing federal income taxes.

1983 8. Local tax assessments.



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1984 9. Computing interest rates by various mechanisms.
1985 10. Simple contracts.
1986 11. Contesting an incorrect billing statement.
1987 12. Types of savings and investments.
1988 13. State and federal laws concerning finance.
1989 Section 23. Section 1003.457, Florida Statutes, is created
1990 to read:
1991 1003.457 Instruction in cardiopulmonary resuscitation.—
1992 (1) Each school district shall provide instruction in
1993 cardiopulmonary resuscitation (CPR) and the use of an automated
1994 external defibrillator. Students shall study and practice the
1995 psychomotor skills associated with performing CPR at least once
1996 before graduating from high school. The instruction shall be a
1997 part of the physical education curriculum or another required
1998 curriculum selected by the school district.
1999 (2) The instruction shall be based on an instructional
2000 program established by:
2001 (a) The American Heart Association;
2002 (b) The American Red Cross; or
2003 (c) Another nationally recognized program that uses the
2004 most current evidence-based emergency cardiovascular care
2005 guidelines.
2006 (3) A student with a disability, as defined in s. 1007.02,
2007 is exempt from the requirements of this section.
2008 Section 24. Subsection (3) of section 1003.453, Florida
2009 Statutes, is amended to read:
2010 1003.453 School wellness and physical education policies;
2011 nutrition guidelines.—
2012 (3) School districts are encouraged to provide basic



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2013 training in first aid, ~~including cardiopulmonary resuscitation,~~
2014 for all students, beginning in grade 6 and every 2 years
2015 thereafter. Private and public partnerships for providing
2016 training or necessary funding are encouraged.

2017 Section 25. Section 1006.061, Florida Statutes, is amended
2018 to read:

2019 1006.061 Child abuse, abandonment, and neglect policy.—Each
2020 district school board, charter school, and private school that
2021 accepts scholarship students under s. 1002.385, s. 1002.39, ~~or~~
2022 s. 1002.395, or another state scholarship program under chapter
2023 1002 shall:

2024 (1) Post in a prominent place in each school a notice that,
2025 pursuant to chapter 39, all employees and agents of the district
2026 school board, charter school, or private school have an
2027 affirmative duty to report all actual or suspected cases of
2028 child abuse, abandonment, or neglect; have immunity from
2029 liability if they report such cases in good faith; and have a
2030 duty to comply with child protective investigations and all
2031 other provisions of law relating to child abuse, abandonment,
2032 and neglect. The notice shall also include the statewide toll-
2033 free telephone number of the central abuse hotline.

2034 (2) Post in a prominent place at each school site and on
2035 each school's Internet website, if available, the policies and
2036 procedures for reporting alleged misconduct by instructional
2037 personnel or school administrators which affects the health,
2038 safety, or welfare of a student; the contact person to whom the
2039 report is made; and the penalties imposed on instructional
2040 personnel or school administrators who fail to report suspected
2041 or actual child abuse or alleged misconduct by other



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2042 instructional personnel or school administrators.

2043 (3) Require the principal of the charter school or private
2044 school, or the district school superintendent, or the
2045 superintendent's designee, at the request of the Department of
2046 Children and Families, to act as a liaison to the Department of
2047 Children and Families and the child protection team, as defined
2048 in s. 39.01, when in a case of suspected child abuse,
2049 abandonment, or neglect or an unlawful sexual offense involving
2050 a child the case is referred to such a team; except that this
2051 does not relieve or restrict the Department of Children and
2052 Families from discharging its duty and responsibility under the
2053 law to investigate and report every suspected or actual case of
2054 child abuse, abandonment, or neglect or unlawful sexual offense
2055 involving a child.

2056 (4) (a) Post in a prominent place in a clearly visible
2057 location and public area of the school which is readily
2058 accessible to and widely used by students a sign in English and
2059 Spanish that contains:

2060 1. The statewide toll-free telephone number of the central
2061 abuse hotline as provided in chapter 39;

2062 2. Instructions to call 911 for emergencies; and

2063 3. Directions for accessing the Department of Children and
2064 Families Internet website for more information on reporting
2065 abuse, neglect, and exploitation.

2066 (b) The information in paragraph (a) must be put on at
2067 least one poster in each school, on a sheet that measures at
2068 least 11 inches by 17 inches, produced in large print, and
2069 placed at student eye level for easy viewing.

2070



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2071 The Department of Education shall develop, and publish on the
2072 department's Internet website, sample notices suitable for
2073 posting in accordance with subsections (1), (2), and (4).

2074 Section 26. Subsections (4) and (6) of section 1006.07,
2075 Florida Statutes, are amended, and subsection (7) is added to
2076 that section, to read:

2077 1006.07 District school board duties relating to student
2078 discipline and school safety.—The district school board shall
2079 provide for the proper accounting for all students, for the
2080 attendance and control of students at school, and for proper
2081 attention to health, safety, and other matters relating to the
2082 welfare of students, including:

2083 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

2084 (a) Formulate and prescribe policies and procedures for
2085 emergency drills and for actual emergencies, including, but not
2086 limited to, fires, natural disasters, hostage and active shooter
2087 situations, and bomb threats, for all the public schools of the
2088 district which comprise grades K-12. District school board
2089 policies shall include commonly used alarm system responses for
2090 specific types of emergencies and verification by each school
2091 that drills have been provided as required by law and fire
2092 protection codes. The emergency response agency that is
2093 responsible for notifying the school district for each type of
2094 emergency must be listed in the district's emergency response
2095 policy.

2096 (b) Establish model emergency management and emergency
2097 preparedness procedures, including emergency notification
2098 procedures pursuant to paragraph (a), for the following life-
2099 threatening emergencies:



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2100 1. Weapon-use, and hostage, and active shooter situations.
2101 The active shooter situation training for each school must be
2102 conducted by the law enforcement agency or agencies that are
2103 designated as first responders to the school's campus.

2104 2. Hazardous materials or toxic chemical spills.

2105 3. Weather emergencies, including hurricanes, tornadoes,
2106 and severe storms.

2107 4. Exposure as a result of a manmade emergency.

2108 (6) SAFETY AND SECURITY BEST PRACTICES.—Each school
2109 district shall: Use the Safety and Security Best Practices
2110 developed by the Office of Program Policy Analysis and
2111 Government Accountability to

2112 (a) Conduct security risk assessments at each public school
2113 and conduct a self-assessment of the school districts' current
2114 safety and security practices using a format prescribed by the
2115 department. Based on these ~~self-assessment~~ findings, the
2116 district school superintendent shall provide recommendations to
2117 the district school board which identify strategies and
2118 activities that the district school board should implement in
2119 order to improve school safety and security. Annually each
2120 district school board must receive such findings and the
2121 superintendent's recommendations ~~the self-assessment results~~ at
2122 a publicly noticed district school board meeting to provide the
2123 public an opportunity to hear the district school board members
2124 discuss and take action on the ~~report~~ findings and
2125 recommendations. Each district school superintendent shall
2126 report such findings ~~the self-assessment results~~ and school
2127 board action to the commissioner within 30 days after the
2128 district school board meeting.



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2129 (b) Using a format prescribed by the department, develop a
2130 plan that includes having a secure, single point of entry onto
2131 school grounds.

2132 (7) SAFETY IN CONSTRUCTION PLANNING.—A district school
2133 board or private school principal or governing board must allow
2134 the law enforcement agency or agencies that are designated as
2135 first responders to the school's or district's campus to tour
2136 such campus once every 3 years. Any changes related to school
2137 safety and emergency issues recommended by a law enforcement
2138 agency based on a campus tour must be documented by the district
2139 school board or private school principal or governing board.

2140 Section 27. Subsection (1) and paragraph (b) of subsection
2141 (2) section 1006.12, Florida Statutes, are amended to read:

2142 1006.12 School resource officers and school safety
2143 officers.—

2144 (1) District school boards shall ~~may~~ establish school
2145 resource officer programs, through a cooperative agreement with
2146 law enforcement agencies or in accordance with subsection (2).

2147 (a) School resource officers shall be certified law
2148 enforcement officers, as defined in s. 943.10(1), who are
2149 employed by a law enforcement agency as defined in s. 943.10(4).
2150 The powers and duties of a law enforcement officer shall
2151 continue throughout the employee's tenure as a school resource
2152 officer.

2153 (b) School resource officers shall abide by district school
2154 board policies and shall consult with and coordinate activities
2155 through the school principal, but shall be responsible to the
2156 law enforcement agency in all matters relating to employment,
2157 subject to agreements between a district school board and a law



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2158 enforcement agency. Activities conducted by the school resource
2159 officer which are part of the regular instructional program of
2160 the school shall be under the direction of the school principal.

2161 (2)

2162 (b) A district school board shall ~~may~~ commission one or
2163 more school safety officers for the protection and safety of
2164 school personnel, property, and students at each district school
2165 facility within the school district. The district school
2166 superintendent may recommend and the district school board may
2167 appoint one or more school safety officers.

2168 Section 28. Section 1007.273, Florida Statutes, is amended
2169 to read:

2170 1007.273 Structured high school acceleration programs
2171 ~~Collegiate high school program.~~-

2172 ~~(1)~~ Each Florida College System institution shall work with
2173 each district school board in its designated service area to
2174 establish one or more structured programs, including, but not
2175 limited to, collegiate high school programs. As used in this
2176 section, the term "structured program" means a structured high
2177 school acceleration program.

2178 (1)~~(2)~~ PURPOSE.-At a minimum, structured ~~collegiate high~~
2179 ~~school~~ programs must include an option for public school
2180 students in grade 11 or grade 12 participating in the structured
2181 program, for at least 1 full school year, to earn CAPE industry
2182 certifications pursuant to s. 1008.44, and to successfully
2183 complete at least 30 credit hours through the dual enrollment
2184 program under s. 1007.271. The structured program must
2185 prioritize dual enrollment courses that are applicable toward
2186 general education core courses or common prerequisite course



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2187 requirements under s. 1007.25 over dual enrollment courses
2188 applicable as electives toward at least the first year of
2189 college for an associate degree or baccalaureate degree while
2190 enrolled in the structured program. A district school board may
2191 not limit the number of eligible public school students who may
2192 enroll in such structured programs.

2193 (2)-(3) REQUIRED STRUCTURED PROGRAM CONTRACTS.-

2194 (a) Each district school board and its local Florida
2195 College System institution shall execute a contract to establish
2196 one or more structured collegiate high school programs at a
2197 mutually agreed upon location or locations. ~~Beginning with the~~
2198 ~~2015-2016 school year,~~ If the local Florida College System
2199 institution does not establish a structured program with a
2200 district school board in its designated service area, another
2201 Florida College System institution may execute a contract with
2202 that district school board to establish the structured program.
2203 The contract must be executed by January 1 of each school year
2204 for implementation of the structured program during the next
2205 school year. By August 1, 2018, a contract entered into before
2206 January 1, 2018, for the 2018-2019 school year must be modified
2207 to include the provisions of paragraph (b).

2208 (b) The contract must:

2209 1. ~~(a)~~ Identify the grade levels to be included in the
2210 structured collegiate high school program; ~~which must, at a~~
2211 ~~minimum, include grade 12.~~

2212 2. ~~(b)~~ Describe the structured collegiate high school
2213 program, including a list of the meta-major academic pathways
2214 approved pursuant to s. 1008.30(4), which are available to
2215 participating students through the partner Florida College



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2216 System institution or other eligible partner postsecondary
2217 institutions; the delineation of courses that must, at a
2218 minimum, include general education core courses and common
2219 prerequisite course requirements pursuant to s. 1007.25; and
2220 industry certifications offered, including online course
2221 availability; the high school and college credits earned for
2222 each postsecondary course completed and industry certification
2223 earned; student eligibility criteria; and the enrollment process
2224 and relevant deadlines;

2225 3.(e) Describe the methods, medium, and process by which
2226 students and their parents are annually informed about the
2227 availability of the structured ~~collegiate high school~~ program,
2228 the return on investment associated with participation in the
2229 structured program, and the information described in
2230 subparagraphs 1. and 2.; paragraphs (a) and (b).

2231 4.(d) Identify the delivery methods for instruction and the
2232 instructors for all courses;

2233 5.(e) Identify student advising services and progress
2234 monitoring mechanisms;

2235 6.(f) Establish a program review and reporting mechanism
2236 regarding student performance outcomes; and

2237 7.(g) Describe the terms of funding arrangements to
2238 implement the structured ~~collegiate high school~~ program pursuant
2239 to paragraph (5) (a).

2240 (3) STUDENT PERFORMANCE CONTRACT AND NOTIFICATION.-

2241 (a) ~~(4)~~ Each student participating in a structured
2242 ~~collegiate high school~~ program must enter into a student
2243 performance contract which must be signed by the student, the
2244 parent, and a representative of the school district and the



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2245 applicable Florida College System institution, state university,
2246 or other institution participating pursuant to subsection (4)
2247 ~~(5)~~. The performance contract must, at a minimum, specify
2248 ~~include~~ the schedule of courses, by semester, and industry
2249 certifications to be taken by the student, if any; student
2250 attendance requirements; and course grade requirements; and the
2251 applicability of such courses to an associate degree or a
2252 baccalaureate degree.

2253 (b) By September 1 of each school year, each district
2254 school board must notify each student enrolled in grades 9, 10,
2255 11, and 12 in a public school within the school district about
2256 the structured program, including, but not limited to:

2257 1. The method for earning college credit through
2258 participation in the structured program. The notification must
2259 include website links to the dual enrollment course equivalency
2260 list approved by the State Board of Education; the common degree
2261 program prerequisite requirements published by the Articulation
2262 Coordinating Committee pursuant to s. 1007.01(3)(f); the
2263 industry certification articulation agreements adopted by the
2264 State Board of Education in rule; and the approved meta-major
2265 academic pathways of the partner Florida College System
2266 institution and other eligible partner postsecondary
2267 institutions participating pursuant to subsection (4); and

2268 2. The estimated cost savings to students and their
2269 families resulting from students successfully completing 30
2270 credit hours applicable toward general education core courses or
2271 common prerequisite course requirements before graduating from
2272 high school versus the cost of earning such credit hours after
2273 graduating from high school.



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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.



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2303 1007.271 generates a 0.5 full-time equivalent (FTE) bonus. A
2304 student who enrolls in the structured program and successfully
2305 completes an additional 30 college credit hours during a school
2306 year, resulting in at least 60 college credit hours through the
2307 dual enrollment program under s. 1007.271 applicable toward
2308 fulfilling the requirements for an associate in arts degree or
2309 an associate in science degree or a baccalaureate degree
2310 pursuant to the student performance contract under subsection
2311 (3), before graduating from high school, generates an additional
2312 0.5 FTE bonus. Each district school board that is a contractual
2313 partner with a Florida College System institution or other
2314 eligible postsecondary institution shall report to the
2315 commissioner the total FTE bonus for each structured program for
2316 the students from that school district. The total FTE bonus
2317 shall be added to each school district's total weighted FTE for
2318 funding in the subsequent fiscal year.

2319 (c) For any industry certification a student attains under
2320 this section, the FTE bonus shall be calculated and awarded in
2321 accordance with s. 1011.62(1)(o).

2322 (6) REPORTING REQUIREMENTS.-

2323 (a) By September 1 of each school year, each district
2324 school superintendent shall report to the commissioner, at a
2325 minimum, the following information on each structured program
2326 administered during the prior school year:

2327 1. The number of students in public schools within the
2328 school district who enrolled in the structured program, and the
2329 partnering postsecondary institutions pursuant to subsections
2330 (2) and (4);

2331 2. The total and average number of dual enrollment courses



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2332 completed, high school and college credits earned, standard high
2333 school diplomas and associate and baccalaureate degrees awarded,
2334 and the number of industry certifications attained, if any, by
2335 the students who enrolled in the structured program;

2336 3. The projected student enrollment in the structured
2337 program during the next school year; and

2338 4. Any barriers to executing contracts to establish one or
2339 more structured programs.

2340 (b) By November 30 of each school year, the commissioner
2341 must report to the Governor, the President of the Senate, and
2342 the Speaker of the House of Representatives the status of
2343 structured programs, including, at a minimum, a summary of
2344 student enrollment and completion information pursuant to this
2345 subsection; barriers, if any, to establishing such programs; and
2346 recommendations for expanding access to such programs statewide.

2347 Section 29. Paragraph (c) of subsection (3) and subsection
2348 (4) of section 1008.33, Florida Statutes, are amended to read:

2349 1008.33 Authority to enforce public school improvement.—

2350 (3)

2351 (c) The state board shall adopt by rule a differentiated
2352 matrix of intervention and support strategies for assisting
2353 traditional public schools identified under this section and
2354 rules for implementing s. 1002.33(9)(n), relating to charter
2355 schools.

2356 1. The intervention and support strategies must address
2357 efforts to improve student performance through one or more of
2358 the following strategies: ~~and may include~~

2359 a. Improvement planning;

2360 b. Leadership quality improvement;



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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



2390 before the school must implement a turnaround option required
2391 under paragraph (b) if it determines that the school is likely
2392 to improve to a grade of "C" or higher after the first full
2393 school year of implementation.

2394 (b) Unless an additional year of implementation is provided
2395 pursuant to paragraph (a), a school that has completed 2 school
2396 years of a district-managed turnaround plan required under
2397 paragraph (a) and has not improved its school grade to a "C" or
2398 higher, pursuant to s. 1008.34, earns three consecutive grades
2399 below a "C" must implement one of the following options:

2400 1. Reassign students to another school and monitor the
2401 progress of each reassigned student.†

2402 2. Close the school and reopen the school as one or more
2403 charter schools, each with a governing board that has a
2404 demonstrated record of effectiveness. Such charter schools are
2405 eligible for funding from the hope supplemental services
2406 allocation established by s. 1011.62(16).† or

2407 3. Contract with an outside entity that has a demonstrated
2408 record of effectiveness to operate the school. An outside entity
2409 may include:

2410 a. A district-managed charter school in which all
2411 instructional personnel are not employees of the school
2412 district, but are employees of an independent governing board
2413 composed of members who did not participate in the review or
2414 approval of the charter. A district-managed charter school is
2415 eligible for funding from the hope supplemental services
2416 allocation established by s. 1011.62(16); or

2417 b. A hope operator that submits to a school district a
2418 notice of intent of a performance-based agreement pursuant to s.



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2419 1002.333. A school of hope established pursuant to this sub-
2420 subparagraph is eligible for funding from the hope supplemental
2421 services allocation for up to 5 years, beginning in the school
2422 year in which the school of hope is established, if the school
2423 of hope:

2424 (I) Is established at the district-owned facilities of the
2425 persistently low-performing school;

2426 (II) Gives priority enrollment to students who are enrolled
2427 in, or are eligible to attend and are living in the attendance
2428 area of, the persistently low-performing school that the school
2429 of hope operates, consistent with the enrollment lottery
2430 exemption provided under s. 1002.333(5)(c); and

2431 (III) Meets the requirements of its performance-based
2432 agreement pursuant to s. 1002.333.

2433 4. Implement a franchise model school in which a highly
2434 effective principal, pursuant to s. 1012.34, leads the
2435 persistently low-performing school in addition to the
2436 principal's currently assigned school. The franchise model
2437 school principal may allocate resources and personnel between
2438 the schools he or she leads. The persistently low-performing
2439 school is eligible for funding from the hope supplemental
2440 services allocation established under s. 1011.62(16).

2441 (c) Implementation of the turnaround option is no longer
2442 required if the school improves to a grade of "C" or higher.

2443 (d) If a school ~~earning two consecutive grades of "D" or a~~
2444 ~~grade of "F"~~ does not improve to a grade of "C" or higher after
2445 2 full school years of implementing the turnaround option
2446 selected by the school district under paragraph (b), the school
2447 district must implement another turnaround option.



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2448 Implementation of the turnaround option must begin the school
2449 year following the implementation period of the existing
2450 turnaround option, unless the state board determines that the
2451 school is likely to improve to a grade of "C" or higher if
2452 additional time is provided to implement the existing turnaround
2453 option.

2454 Section 30. Present subsections (16) and (17) of section
2455 1011.62, Florida Statutes, are redesignated as subsections (19)
2456 and (20), respectively, new subsections (16) and (17) and
2457 subsection (18) are added to that section, and paragraph (a) of
2458 subsection (4) and subsection (14) of that section are amended,
2459 to read:

2460 1011.62 Funds for operation of schools.—If the annual
2461 allocation from the Florida Education Finance Program to each
2462 district for operation of schools is not determined in the
2463 annual appropriations act or the substantive bill implementing
2464 the annual appropriations act, it shall be determined as
2465 follows:

2466 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The
2467 Legislature shall prescribe the aggregate required local effort
2468 for all school districts collectively as an item in the General
2469 Appropriations Act for each fiscal year. The amount that each
2470 district shall provide annually toward the cost of the Florida
2471 Education Finance Program for kindergarten through grade 12
2472 programs shall be calculated as follows:

2473 (a) *Estimated taxable value calculations.*—

2474 1.a. Not later than 2 working days before July 19, the
2475 Department of Revenue shall certify to the Commissioner of
2476 Education its most recent estimate of the taxable value for



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2477 school purposes in each school district and the total for all
2478 school districts in the state for the current calendar year
2479 based on the latest available data obtained from the local
2480 property appraisers. The value certified shall be the taxable
2481 value for school purposes for that year, and no further
2482 adjustments shall be made, except those made pursuant to
2483 paragraphs (c) and (d), or an assessment roll change required by
2484 final judicial decisions as specified in paragraph (19) (b)
2485 ~~(16) (b)~~. Not later than July 19, the Commissioner of Education
2486 shall compute a millage rate, rounded to the next highest one
2487 one-thousandth of a mill, which, when applied to 96 percent of
2488 the estimated state total taxable value for school purposes,
2489 would generate the prescribed aggregate required local effort
2490 for that year for all districts. The Commissioner of Education
2491 shall certify to each district school board the millage rate,
2492 computed as prescribed in this subparagraph, as the minimum
2493 millage rate necessary to provide the district required local
2494 effort for that year.

2495 b. The General Appropriations Act shall direct the
2496 computation of the statewide adjusted aggregate amount for
2497 required local effort for all school districts collectively from
2498 ad valorem taxes to ensure that no school district's revenue
2499 from required local effort millage will produce more than 90
2500 percent of the district's total Florida Education Finance
2501 Program calculation as calculated and adopted by the
2502 Legislature, and the adjustment of the required local effort
2503 millage rate of each district that produces more than 90 percent
2504 of its total Florida Education Finance Program entitlement to a
2505 level that will produce only 90 percent of its total Florida



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2506 Education Finance Program entitlement in the July calculation.

2507 2. On the same date as the certification in sub-
2508 subparagraph 1.a., the Department of Revenue shall certify to
2509 the Commissioner of Education for each district:

2510 a. Each year for which the property appraiser has certified
2511 the taxable value pursuant to s. 193.122(2) or (3), if
2512 applicable, since the prior certification under sub-subparagraph
2513 1.a.

2514 b. For each year identified in sub-subparagraph a., the
2515 taxable value certified by the appraiser pursuant to s.
2516 193.122(2) or (3), if applicable, since the prior certification
2517 under sub-subparagraph 1.a. This is the certification that
2518 reflects all final administrative actions of the value
2519 adjustment board.

2520 (14) QUALITY ASSURANCE GUARANTEE.—The Legislature may
2521 annually in the General Appropriations Act determine a
2522 percentage increase in funds per K-12 unweighted FTE as a
2523 minimum guarantee to each school district. The guarantee shall
2524 be calculated from prior year base funding per unweighted FTE
2525 student which shall include the adjusted FTE dollars as provided
2526 in subsection (19) ~~(16)~~, quality guarantee funds, and actual
2527 nonvoted discretionary local effort from taxes. From the base
2528 funding per unweighted FTE, the increase shall be calculated for
2529 the current year. The current year funds from which the
2530 guarantee shall be determined shall include the adjusted FTE
2531 dollars as provided in subsection (19) ~~(16)~~ and potential
2532 nonvoted discretionary local effort from taxes. A comparison of
2533 current year funds per unweighted FTE to prior year funds per
2534 unweighted FTE shall be computed. For those school districts



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2535 which have less than the legislatively assigned percentage
2536 increase, funds shall be provided to guarantee the assigned
2537 percentage increase in funds per unweighted FTE student. Should
2538 appropriated funds be less than the sum of this calculated
2539 amount for all districts, the commissioner shall prorate each
2540 district's allocation. This provision shall be implemented to
2541 the extent specifically funded.

2542 (16) HOPE SUPPLEMENTAL SERVICES ALLOCATION.-The hope
2543 supplemental services allocation is created to provide district-
2544 managed turnaround schools, as required under s. 1008.33(4)(a),
2545 charter schools authorized under s. 1008.33(4)(b)2., district-
2546 managed charter schools authorized under s. 1008.33(4)(b)3.a.,
2547 schools of hope authorized under s. 1008.33(4)(b)3.b., and
2548 franchise model schools as authorized under s. 1008.33(4)(b)4.,
2549 with funds to offer services designed to improve the overall
2550 academic and community welfare of the schools' students and
2551 their families.

2552 (a) Services funded by the allocation may include, but are
2553 not limited to, tutorial and after-school programs, student
2554 counseling, nutrition education, and parental counseling. In
2555 addition, services may also include models that develop a
2556 culture that encourages students to complete high school and to
2557 attend college or career training, set high academic
2558 expectations, inspire character development, and include an
2559 extended school day and school year.

2560 (b) Prior to distribution of the allocation, a school
2561 district, for a district turnaround school and persistently low-
2562 performing schools that use a franchise model; a hope operator,
2563 for a school of hope; or the charter school governing board for



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2564 a charter school, as applicable, shall develop and submit a plan
2565 for implementation to its respective governing body for approval
2566 no later than August 1 of the fiscal year.

2567 (c) At a minimum, the plans required under paragraph (b)
2568 must:

2569 1. Establish comprehensive support services that develop
2570 family and community partnerships;

2571 2. Establish clearly defined and measurable high academic
2572 and character standards;

2573 3. Increase parental involvement and engagement in the
2574 child's education;

2575 4. Describe how instructional personnel will be identified,
2576 recruited, retained, and rewarded;

2577 5. Provide professional development that focuses on
2578 academic rigor, direct instruction, and creating high academic
2579 and character standards; and

2580 6. Provide focused instruction to improve student academic
2581 proficiency, which may include additional instruction time
2582 beyond the normal school day or school year.

2583 (d) Each school district and hope operator shall submit
2584 approved plans to the commissioner by September 1 of each fiscal
2585 year.

2586 (e) For the 2018-2019 fiscal year, a school that is
2587 selected to receive funding in the 2017-2018 fiscal year
2588 pursuant to s. 1002.333(10)(c) shall receive \$2,000 per FTE. A
2589 district-managed turnaround school required under s.

2590 1008.33(4)(a), charter school authorized under s.

2591 1008.33(4)(b)2., district-managed charter school authorized

2592 under s. 1008.33(4)(b)3.a., school of hope authorized under s.



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2593 1008.33(4)(b)3.b., and franchise model school authorized under
2594 s. 1008.33(4)(b)4. are eligible for the remaining funds based on
2595 the school's unweighted FTE, up to \$2,000 per FTE or as provided
2596 in the General Appropriations Act.

2597 (f) For the 2019-2020 fiscal year and thereafter, each
2598 school district's allocation shall be based on the unweighted
2599 FTE student enrollment at the eligible schools and a per-FTE
2600 funding amount of up to \$2,000 per FTE or as provided in the
2601 General Appropriations Act. If the calculated funds for
2602 unweighted FTE student enrollment at the eligible schools exceed
2603 the per-FTE funds appropriated, the allocation of funds to each
2604 school district must be prorated based on each school district's
2605 share of the total unweighted FTE student enrollment for the
2606 eligible schools.

2607 (17) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental health
2608 assistance allocation is created to provide supplemental funding
2609 to assist school districts in establishing or expanding
2610 comprehensive school-based mental health programs that increase
2611 awareness of mental health issues among children and school-age
2612 youth; train educators and other school staff in detecting and
2613 responding to mental health issues; and connect children, youth,
2614 and families who may experience behavioral health issues with
2615 appropriate services. These funds may be allocated annually in
2616 the General Appropriations Act to each eligible school district
2617 and developmental research school based on each entity's
2618 proportionate share of Florida Education Finance Program base
2619 funding. The district funding allocation must include a minimum
2620 amount as specified in the General Appropriations Act. Upon
2621 submission and approval of a plan that includes the elements



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2622 specified in paragraph (b), charter schools are also entitled to
2623 a proportionate share of district funding for this program. The
2624 allocated funds may not supplant funds that are provided for
2625 this purpose from other operating funds and may not be used to
2626 increase salaries or provide bonuses.

2627 (a) Prior to the distribution of the allocation:

2628 1. The district must annually develop and submit a detailed
2629 plan outlining the local program and planned expenditures to the
2630 district school board for approval.

2631 2. A charter school must annually develop and submit a
2632 detailed plan outlining the local program and planned
2633 expenditures of the funds in the plan to its governing body for
2634 approval. After the plan is approved by the governing body, it
2635 must be provided to its school district for submission to the
2636 commissioner.

2637 (b) The plans required under paragraph (a) must include, at
2638 a minimum, all of the following elements:

2639 1. A collaborative effort or partnership between the school
2640 district and at least one local community program or agency
2641 involved in mental health to provide or to improve prevention,
2642 diagnosis, and treatment services for students;

2643 2. Programs to assist students in dealing with bullying,
2644 trauma, and violence;

2645 3. Strategies or programs to reduce the likelihood of at-
2646 risk students developing social, emotional, or behavioral health
2647 problems or substance use disorders;

2648 4. Strategies to improve the early identification of
2649 social, emotional, or behavioral problems or substance use
2650 disorders and to improve the provision of early intervention



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2651 services;

2652 5. Strategies to enhance the availability of school-based
2653 crisis intervention services and appropriate referrals for
2654 students in need of mental health services; and

2655 6. Training opportunities for school personnel in the
2656 techniques and supports needed to identify students who have
2657 trauma histories and who have or are at risk of having a mental
2658 illness, and in the use of referral mechanisms that effectively
2659 link such students to appropriate treatment and intervention
2660 services in the school and in the community.

2661 (c) The districts shall submit approved plans to the
2662 commissioner by August 1 of each fiscal year.

2663 (d) Beginning September 30, 2019, and by each September 30
2664 thereafter, each entity that receives an allocation under this
2665 subsection shall submit to the commissioner, in a format
2666 prescribed by the department, a final report on its program
2667 outcomes and its expenditures for each element of the program.

2668 (18) FUNDING COMPRESSION ALLOCATION.—The Legislature may
2669 provide an annual funding compression allocation in the General
2670 Appropriations Act. The allocation is created to provide
2671 additional funding to school districts and developmental
2672 research schools whose total funds per FTE in the prior year
2673 were less than the statewide average. Using the most recent
2674 prior year FEFP calculation for each eligible school district,
2675 the total funds per FTE shall be subtracted from the state
2676 average funds per FTE, not including any adjustments made
2677 pursuant to paragraph (19) (b). The resulting funds per FTE
2678 difference, or a portion thereof, as designated in the General
2679 Appropriations Act, shall then be multiplied by the school



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2680 district's total unweighted FTE to provide the allocation. If
2681 the calculated funds are greater than the amount included in the
2682 General Appropriations Act, they must be prorated to the
2683 appropriation amount based on each participating school
2684 district's share.

2685 Section 31. Subsection (5) of section 1011.69, Florida
2686 Statutes, is amended to read:

2687 1011.69 Equity in School-Level Funding Act.—

2688 (5) After providing Title I, Part A, Basic funds to schools
2689 above the 75 percent poverty threshold, which may include high
2690 schools above the 50 percent threshold as allowed by federal
2691 law, school districts shall provide any remaining Title I, Part
2692 A, Basic funds directly to all eligible schools as provided in
2693 this subsection. For purposes of this subsection, an eligible
2694 school is a school that is eligible to receive Title I funds,
2695 including a charter school. The threshold for identifying
2696 eligible schools may not exceed the threshold established by a
2697 school district for the 2016-2017 school year or the statewide
2698 percentage of economically disadvantaged students, as determined
2699 annually.

2700 (a) Prior to the allocation of Title I funds to eligible
2701 schools, a school district may withhold funds only as follows:

2702 1. One percent for parent involvement, in addition to the
2703 one percent the district must reserve under federal law for
2704 allocations to eligible schools for parent involvement;

2705 2. A necessary and reasonable amount for administration;⁷

2706 3. which includes The district's approved indirect cost
2707 rate, ~~not to exceed a total of 8 percent; and~~

2708 4.3- A reasonable and necessary amount to provide:



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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



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2738 (2) (a)-(j), expenses for the following:

2739 (a) The purchase, lease-purchase, or lease of driver's
2740 education vehicles; motor vehicles used for the maintenance or
2741 operation of plants and equipment; security vehicles; or
2742 vehicles used in storing or distributing materials and
2743 equipment.

2744 (b) Payment of the cost of premiums, as defined in s.
2745 627.403, for property and casualty insurance necessary to insure
2746 school district educational and ancillary plants. As used in
2747 this paragraph, casualty insurance has the same meaning as in s.
2748 624.605(1)(d), (f), (g), (h), and (m). Operating revenues that
2749 are made available through the payment of property and casualty
2750 insurance premiums from revenues generated under this subsection
2751 may be expended only for nonrecurring operational expenditures
2752 of the school district.

2753 Section 33. Section 1012.315, Florida Statutes, is amended
2754 to read:

2755 1012.315 Disqualification from employment.—A person is
2756 ineligible for educator certification, and instructional
2757 personnel and school administrators, as defined in s. 1012.01,
2758 are ineligible for employment in any position that requires
2759 direct contact with students in a district school system,
2760 charter school, or private school that accepts scholarship
2761 students under s. 1002.385, s. 1002.39, ~~or~~ s. 1002.395, or
2762 another state scholarship program under chapter 1002, if the
2763 person, instructional personnel, or school administrator has
2764 been convicted of:

2765 (1) Any felony offense prohibited under any of the
2766 following statutes:



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2767 (a) Section 393.135, relating to sexual misconduct with
2768 certain developmentally disabled clients and reporting of such
2769 sexual misconduct.

2770 (b) Section 394.4593, relating to sexual misconduct with
2771 certain mental health patients and reporting of such sexual
2772 misconduct.

2773 (c) Section 415.111, relating to adult abuse, neglect, or
2774 exploitation of aged persons or disabled adults.

2775 (d) Section 782.04, relating to murder.

2776 (e) Section 782.07, relating to manslaughter, aggravated
2777 manslaughter of an elderly person or disabled adult, aggravated
2778 manslaughter of a child, or aggravated manslaughter of an
2779 officer, a firefighter, an emergency medical technician, or a
2780 paramedic.

2781 (f) Section 784.021, relating to aggravated assault.

2782 (g) Section 784.045, relating to aggravated battery.

2783 (h) Section 784.075, relating to battery on a detention or
2784 commitment facility staff member or a juvenile probation
2785 officer.

2786 (i) Section 787.01, relating to kidnapping.

2787 (j) Section 787.02, relating to false imprisonment.

2788 (k) Section 787.025, relating to luring or enticing a
2789 child.

2790 (l) Section 787.04(2), relating to leading, taking,
2791 enticing, or removing a minor beyond the state limits, or
2792 concealing the location of a minor, with criminal intent pending
2793 custody proceedings.

2794 (m) Section 787.04(3), relating to leading, taking,
2795 enticing, or removing a minor beyond the state limits, or



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2796 concealing the location of a minor, with criminal intent pending
2797 dependency proceedings or proceedings concerning alleged abuse
2798 or neglect of a minor.

2799 (n) Section 790.115(1), relating to exhibiting firearms or
2800 weapons at a school-sponsored event, on school property, or
2801 within 1,000 feet of a school.

2802 (o) Section 790.115(2)(b), relating to possessing an
2803 electric weapon or device, destructive device, or other weapon
2804 at a school-sponsored event or on school property.

2805 (p) Section 794.011, relating to sexual battery.

2806 (q) Former s. 794.041, relating to sexual activity with or
2807 solicitation of a child by a person in familial or custodial
2808 authority.

2809 (r) Section 794.05, relating to unlawful sexual activity
2810 with certain minors.

2811 (s) Section 794.08, relating to female genital mutilation.

2812 (t) Chapter 796, relating to prostitution.

2813 (u) Chapter 800, relating to lewdness and indecent
2814 exposure.

2815 (v) Section 806.01, relating to arson.

2816 (w) Section 810.14, relating to voyeurism.

2817 (x) Section 810.145, relating to video voyeurism.

2818 (y) Section 812.014(6), relating to coordinating the
2819 commission of theft in excess of \$3,000.

2820 (z) Section 812.0145, relating to theft from persons 65
2821 years of age or older.

2822 (aa) Section 812.019, relating to dealing in stolen
2823 property.

2824 (bb) Section 812.13, relating to robbery.



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2825 (cc) Section 812.131, relating to robbery by sudden
2826 snatching.
2827 (dd) Section 812.133, relating to carjacking.
2828 (ee) Section 812.135, relating to home-invasion robbery.
2829 (ff) Section 817.563, relating to fraudulent sale of
2830 controlled substances.
2831 (gg) Section 825.102, relating to abuse, aggravated abuse,
2832 or neglect of an elderly person or disabled adult.
2833 (hh) Section 825.103, relating to exploitation of an
2834 elderly person or disabled adult.
2835 (ii) Section 825.1025, relating to lewd or lascivious
2836 offenses committed upon or in the presence of an elderly person
2837 or disabled person.
2838 (jj) Section 826.04, relating to incest.
2839 (kk) Section 827.03, relating to child abuse, aggravated
2840 child abuse, or neglect of a child.
2841 (ll) Section 827.04, relating to contributing to the
2842 delinquency or dependency of a child.
2843 (mm) Section 827.071, relating to sexual performance by a
2844 child.
2845 (nn) Section 843.01, relating to resisting arrest with
2846 violence.
2847 (oo) Chapter 847, relating to obscenity.
2848 (pp) Section 874.05, relating to causing, encouraging,
2849 soliciting, or recruiting another to join a criminal street
2850 gang.
2851 (qq) Chapter 893, relating to drug abuse prevention and
2852 control, if the offense was a felony of the second degree or
2853 greater severity.



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2854 (rr) Section 916.1075, relating to sexual misconduct with
2855 certain forensic clients and reporting of such sexual
2856 misconduct.

2857 (ss) Section 944.47, relating to introduction, removal, or
2858 possession of contraband at a correctional facility.

2859 (tt) Section 985.701, relating to sexual misconduct in
2860 juvenile justice programs.

2861 (uu) Section 985.711, relating to introduction, removal, or
2862 possession of contraband at a juvenile detention facility or
2863 commitment program.

2864 (2) Any misdemeanor offense prohibited under any of the
2865 following statutes:

2866 (a) Section 784.03, relating to battery, if the victim of
2867 the offense was a minor.

2868 (b) Section 787.025, relating to luring or enticing a
2869 child.

2870 (3) Any criminal act committed in another state or under
2871 federal law which, if committed in this state, constitutes an
2872 offense prohibited under any statute listed in subsection (1) or
2873 subsection (2).

2874 (4) Any delinquent act committed in this state or any
2875 delinquent or criminal act committed in another state or under
2876 federal law which, if committed in this state, qualifies an
2877 individual for inclusion on the Registered Juvenile Sex Offender
2878 List under s. 943.0435(1)(h)1.d.

2879 Section 34. Paragraphs (b) and (c) of subsection (3) of
2880 section 1012.731, Florida Statutes, are amended to read:

2881 1012.731 The Florida Best and Brightest Teacher Scholarship
2882 Program.—



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2883 (3)
2884 (b)1. In order to demonstrate eligibility for an award, an
2885 eligible classroom teacher must submit to the school district,
2886 no later than November 1, an official record of his or her
2887 qualifying assessment score and, beginning with the 2020-2021
2888 school year, an official transcript demonstrating that he or she
2889 graduated cum laude or higher with a baccalaureate degree, if
2890 applicable. Once a classroom teacher is deemed eligible by the
2891 school district, the teacher shall remain eligible as long as he
2892 or she remains employed by the school district as a classroom
2893 teacher at the time of the award and receives an annual
2894 performance evaluation rating of highly effective pursuant to s.
2895 1012.34 or is evaluated as highly effective based on a
2896 commissioner-approved student learning growth formula pursuant
2897 to s. 1012.34(8) for the 2019-2020 school year or thereafter.

2898 2. A school district employee who, in the prior school
2899 year, was rated highly effective and met the eligibility
2900 requirements under this section as a classroom teacher, is
2901 eligible to receive a scholarship award during the current
2902 school year if he or she maintains employment with the school
2903 district.

2904 ~~(c) Notwithstanding the requirements of this subsection,~~
2905 ~~for the 2017-2018, 2018-2019, and 2019-2020 school years, any~~
2906 ~~classroom teacher who:~~

2907 ~~1. Was evaluated as highly effective pursuant to s. 1012.34~~
2908 ~~in the school year immediately preceding the year in which the~~
2909 ~~scholarship will be awarded shall receive a scholarship of~~
2910 ~~\$1200, including a classroom teacher who received an award~~
2911 ~~pursuant to paragraph (a).~~



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2912 ~~2. Was evaluated as effective pursuant to s. 1012.34 in the~~
2913 ~~school year immediately preceding the year in which the~~
2914 ~~scholarship will be awarded a scholarship of up to \$800. If the~~
2915 ~~number of eligible classroom teachers under this subparagraph~~
2916 ~~exceeds the total allocation, the department shall prorate the~~
2917 ~~per-teacher scholarship amount.~~

2918
2919 ~~This paragraph expires July 1, 2020.~~

2920 Section 35. Subsections (2), (3), and (4) of section
2921 1012.732, Florida Statutes, are amended to read:

2922 1012.732 The Florida Best and Brightest Principal
2923 Scholarship Program.—

2924 (2) There is created the Florida Best and Brightest
2925 Principal Scholarship Program to be administered by the
2926 Department of Education. The program shall provide categorical
2927 funding for scholarships to be awarded to school principals, as
2928 defined in s. 1012.01(3)(c)1., who are serving as a franchise
2929 model school principal or who have recruited and retained a high
2930 percentage of best and brightest teachers.

2931 (3)(a) A school principal identified pursuant to s.
2932 1012.731(4)(c) is eligible to receive a scholarship under this
2933 section if he or she has served as school principal at his or
2934 her school for at least 2 consecutive school years including the
2935 current school year and his or her school has a ratio of best
2936 and brightest teachers to other classroom teachers that is at
2937 the 80th percentile or higher for schools within the same grade
2938 group, statewide, including elementary schools, middle schools,
2939 high schools, and schools with a combination of grade levels.

2940 (b) A principal of a franchise model school, as defined in



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2941 s. 1002.334, is eligible to receive a scholarship under this
2942 section.

2943 (4) Annually, by February 1, the department shall identify
2944 eligible school principals and disburse funds to each school
2945 district for each eligible school principal to receive a
2946 scholarship.

2947 (a) A scholarship of \$10,000 ~~\$5,000~~ must be awarded to each
2948 franchise model school principal who is every eligible under
2949 paragraph (3) (b).

2950 (b) A scholarship of \$5,000 must be awarded to each school
2951 principal assigned to a Title I school and a scholarship of
2952 \$4,000 to each every eligible school principal who is not
2953 assigned to a Title I school and who is eligible under paragraph
2954 (3) (a).

2955 Section 36. Paragraph (e) of subsection (1) of section
2956 1012.796, Florida Statutes, is amended to read:

2957 1012.796 Complaints against teachers and administrators;
2958 procedure; penalties.-

2959 (1)

2960 (e) If allegations arise against an employee who is
2961 certified under s. 1012.56 and employed in an educator-
2962 certificated position in any public school, charter school or
2963 governing board thereof, or private school that accepts
2964 scholarship students under s. 1002.385, s. 1002.39, ~~or~~ s.
2965 1002.395, or another state scholarship program under chapter
2966 1002, the school shall file in writing with the department a
2967 legally sufficient complaint within 30 days after the date on
2968 which the subject matter of the complaint came to the attention
2969 of the school. A complaint is legally sufficient if it contains



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2970 ultimate facts that show a violation has occurred as provided in
2971 s. 1012.795 and defined by rule of the State Board of Education.
2972 The school shall include all known information relating to the
2973 complaint with the filing of the complaint. This paragraph does
2974 not limit or restrict the power and duty of the department to
2975 investigate complaints, regardless of the school's untimely
2976 filing, or failure to file, complaints and followup reports.

2977 Section 37. Present paragraphs (a) through (d) of
2978 subsection (1) of section 1013.31, Florida Statutes, are
2979 redesignated as paragraphs (b) through (e), respectively, and a
2980 new paragraph (a) is added to that subsection, to read:

2981 1013.31 Educational plant survey; localized need
2982 assessment; PECO project funding.—

2983 (1) At least every 5 years, each board shall arrange for an
2984 educational plant survey, to aid in formulating plans for
2985 housing the educational program and student population, faculty,
2986 administrators, staff, and auxiliary and ancillary services of
2987 the district or campus, including consideration of the local
2988 comprehensive plan. The Department of Education shall document
2989 the need for additional career and adult education programs and
2990 the continuation of existing programs before facility
2991 construction or renovation related to career or adult education
2992 may be included in the educational plant survey of a school
2993 district or Florida College System institution that delivers
2994 career or adult education programs. Information used by the
2995 Department of Education to establish facility needs must
2996 include, but need not be limited to, labor market data, needs
2997 analysis, and information submitted by the school district or
2998 Florida College System institution.



2999 (a) Educational plant survey and localized need assessment
3000 for capital outlay purposes.—A district may only use funds from
3001 the following sources for educational, auxiliary, and ancillary
3002 plant capital outlay purposes without needing a survey
3003 recommendation:
3004 1. The local capital outlay improvement fund, consisting of
3005 funds that come from and are a part of the district's basic
3006 operating budget;
3007 2. If a board decides to build an educational, auxiliary,
3008 or ancillary facility without a survey recommendation and the
3009 taxpayers approve a bond referendum, the voted bond referendum;
3010 3. One-half cent sales surtax revenue;
3011 4. One cent local governmental surtax revenue;
3012 5. Impact fees; and
3013 6. Private gifts or donations.
3014 Section 38. Paragraph (e) is added to subsection (2) of
3015 section 1013.385, Florida Statutes, to read:
3016 1013.385 School district construction flexibility.—
3017 (2) A resolution adopted under this section may propose
3018 implementation of exceptions to requirements of the uniform
3019 statewide building code for the planning and construction of
3020 public educational and ancillary plants adopted pursuant to ss.
3021 553.73 and 1013.37 relating to:
3022 (e) Any other provisions that limit the ability of a school
3023 to operate in a facility on the same basis as a charter school
3024 pursuant to s. 1002.33(18) if the regional planning council
3025 determines that there is sufficient shelter capacity within the
3026 school district as documented in the Statewide Emergency Shelter
3027 Plan.



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3028 Section 39. Subsection (3) of section 1013.62, Florida
3029 Statutes, is amended, and paragraph (c) is added to subsection
3030 (1) of that section, to read:

3031 1013.62 Charter schools capital outlay funding.-

3032 (1) Charter school capital outlay funding shall consist of
3033 revenue resulting from the discretionary millage authorized in
3034 s. 1011.71(2) and state funds when such funds are appropriated
3035 in the General Appropriations Act.

3036 (c) It is the intent of the Legislature that the public
3037 interest be protected by prohibiting personal financial
3038 enrichment by owners, operators, managers, real estate
3039 developers, and other affiliated parties of charter schools.
3040 Therefore, a charter school is not eligible for a funding
3041 allocation unless the chair of the governing board and the chief
3042 administrative officer of the charter school annually certify
3043 under oath that the funds will be used solely and exclusively
3044 for constructing, renovating, or improving charter school
3045 facilities that are:

3046 1. Owned by a school district, a political subdivision of
3047 the state, a municipality, a Florida College System institution,
3048 or a state university;

3049 2. Owned by an organization that is qualified as an exempt
3050 organization under s. 501(c)(3) of the Internal Revenue Code
3051 whose articles of incorporation specify that, upon the
3052 organization's dissolution, the subject property will be
3053 transferred to a school district, a political subdivision of the
3054 state, a municipality, a Florida College System institution, or
3055 a state university; or

3056 3. Owned by and leased, at a fair market value in the



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3057 school district in which the charter school is located, from a
3058 person or entity that is not an affiliated party of the charter
3059 school. For the purposes of this subparagraph, the term
3060 "affiliated party of the charter school" means the applicant for
3061 the charter school pursuant to s. 1002.33; the governing board
3062 of the charter school or a member of the governing board; the
3063 charter school owner; the charter school principal; an employee
3064 of the charter school; an independent contractor of the charter
3065 school or the governing board of the charter school; a relative,
3066 as defined in s. 1002.33(24)(a)2., of a charter school governing
3067 board member, a charter school owner, a charter school
3068 principal, a charter school employee, or an independent
3069 contractor of a charter school or charter school governing
3070 board; a subsidiary corporation, a service corporation, an
3071 affiliated corporation, a parent corporation, a limited
3072 liability company, a limited partnership, a trust, a
3073 partnership, or a related party that, individually or through
3074 one or more entities, shares common ownership or control and
3075 directly or indirectly manages, administers, controls, or
3076 oversees the operation of the charter school; or any person or
3077 entity, individually or through one or more entities that share
3078 common ownership, which directly or indirectly manages,
3079 administers, controls, or oversees the operation of any of the
3080 foregoing.

3081 (3) If the school board levies the discretionary millage
3082 authorized in s. 1011.71(2), the department shall use the
3083 following calculation methodology to determine the amount of
3084 revenue that a school district must distribute to each eligible
3085 charter school:



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3086 (a) Reduce the total discretionary millage revenue by the
3087 school district's annual debt service obligation incurred as of
3088 March 1, 2017, and any amount of participation requirement
3089 pursuant to s. 1013.64(2)(a)8. that is being satisfied by
3090 revenues raised by the discretionary millage.

3091 (b) Divide the school district's adjusted discretionary
3092 millage revenue by the district's total capital outlay full-time
3093 equivalent membership and the total number of unweighted full-
3094 time equivalent students of each eligible charter school to
3095 determine a capital outlay allocation per full-time equivalent
3096 student.

3097 (c) Multiply the capital outlay allocation per full-time
3098 equivalent student by the total number of full-time equivalent
3099 students for all of each eligible charter schools within the
3100 district school to determine the total charter school capital
3101 outlay allocation for each district charter school.

3102 (d) If applicable, reduce the capital outlay allocation
3103 identified in paragraph (c) by the total amount of state funds
3104 allocated pursuant to subsection (2) to all each eligible
3105 charter schools within a district school in subsection (2) to
3106 determine the net total maximum calculated capital outlay
3107 allocation from local funds. If state funds are not allocated
3108 pursuant to subsection (2), the amount determined in paragraph
3109 (c) is equal to the net total calculated capital outlay
3110 allocation from local funds for each district.

3111 (e) For each charter school within each district, the net
3112 capital outlay amount from local funds shall be calculated in
3113 the same manner as the state funds in paragraphs (2)(a)-(d),
3114 except that the base charter school per weighted FTE allocation



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3115 amount shall be determined by dividing the net total capital
3116 outlay amount from local funds by the total weighted FTE for all
3117 eligible charter schools within the district. The per weighted
3118 FTE allocation amount from local funds shall be multiplied by
3119 the weighted FTE for each charter school to determine each
3120 charter school's capital outlay allocation from local funds.

3121 (f)~~(e)~~ School districts shall distribute capital outlay
3122 funds to charter schools no later than February 1 of each year,
3123 ~~beginning on February 1, 2018, for the 2017-2018 fiscal year.~~

3124 Section 40. Effective July 1, 2019, subsection (13) of
3125 section 212.08, Florida Statutes, is amended to read:

3126 212.08 Sales, rental, use, consumption, distribution, and
3127 storage tax; specified exemptions.—The sale at retail, the
3128 rental, the use, the consumption, the distribution, and the
3129 storage to be used or consumed in this state of the following
3130 are hereby specifically exempt from the tax imposed by this
3131 chapter.

3132 (13) No transactions shall be exempt from the tax imposed
3133 by this chapter except those expressly exempted herein. All laws
3134 granting tax exemptions, to the extent they may be inconsistent
3135 or in conflict with this chapter, including, but not limited to,
3136 the following designated laws, shall yield to and be superseded
3137 by the provisions of this subsection: ss. 125.019, 153.76,
3138 154.2331, 159.15, 159.31, 159.50, 159.708, 163.385, 163.395,
3139 215.76, 243.33, 315.11, 348.65, 348.762, 349.13, 403.1834, and
3140 ~~616.07, and 623.09~~, and the following Laws of Florida, acts of
3141 the year indicated: s. 31, chapter 30843, 1955; s. 19, chapter
3142 30845, 1955; s. 12, chapter 30927, 1955; s. 8, chapter 31179,
3143 1955; s. 15, chapter 31263, 1955; s. 13, chapter 31343, 1955; s.



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3144 16, chapter 59-1653; s. 13, chapter 59-1356; s. 12, chapter 61-
3145 2261; s. 19, chapter 61-2754; s. 10, chapter 61-2686; s. 11,
3146 chapter 63-1643; s. 11, chapter 65-1274; s. 16, chapter 67-1446;
3147 and s. 10, chapter 67-1681. This subsection does not supersede
3148 the authority of a local government to adopt financial and local
3149 government incentives pursuant to s. 163.2517.

3150 Section 41. For the 2018-2019 fiscal year, the sum of
3151 \$2,596,560 in recurring funds from the General Revenue Fund and
3152 the sum of \$392,134 in nonrecurring funds from the General
3153 Revenue Fund are appropriated to the Department of Education to
3154 implement this act as follows: the sum of \$2 million in
3155 recurring funds shall be used to implement the Hope Scholarship
3156 Program created pursuant to s. 1002.40, Florida Statutes, the
3157 sum of \$596,560 in recurring funds and \$142,134 in nonrecurring
3158 funds shall be used to implement the additional oversight
3159 requirements pursuant to s. 1002.421, Florida Statutes, and the
3160 sum of \$250,000 in nonrecurring funds shall be used to issue a
3161 competitive grant award pursuant to s. 1002.395(9), Florida
3162 Statutes.

3163 Section 42. The Department of Revenue may, and all
3164 conditions are deemed met to, adopt emergency rules pursuant to
3165 ss. 120.536(1) and 120.54, Florida Statutes, to administer this
3166 act.

3167 Section 43. Except as otherwise expressly provided in this
3168 act, this act shall take effect July 1, 2018

3170 ===== T I T L E A M E N D M E N T =====

3171 And the title is amended as follows:

3172 Delete everything before the enacting clause



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3173 and insert:

3174 A bill to be entitled
3175 An act relating to education; creating s. 212.1832,
3176 F.S.; authorizing certain persons to receive a tax
3177 credit for certain contributions to eligible nonprofit
3178 scholarship-funding organizations for the Hope
3179 Scholarship Program; providing requirements for motor
3180 vehicle dealers; requiring the Department of Revenue
3181 to disregard certain tax credits for specified
3182 purposes; providing that specified provisions apply to
3183 certain provisions; amending s. 213.053, F.S.;
3184 authorizing the Department of Revenue to share
3185 specified information with eligible nonprofit
3186 scholarship-funding organizations; providing that
3187 certain requirements apply to such organizations;
3188 repealing ch. 623, F.S., relating to private school
3189 corporations, on a specified date; amending s.
3190 1001.10, F.S.; revising the private schools to which
3191 the Department of Education is required to provide
3192 technical assistance and authorized staff; amending s.
3193 1001.4205, F.S.; authorizing a member of the State
3194 Legislature to visit any district school, including
3195 any charter school, in his or her legislative
3196 district; amending s. 1002.01, F.S.; revising and
3197 defining terms; amending s. 1002.20; updating
3198 educational options and terminology; amending s.
3199 1002.33, F.S.; extending the period of time for which
3200 a charter school may defer its opening for specified
3201 reasons; amending s. 1002.331, F.S.; revising the



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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



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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



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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



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



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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



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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



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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



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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



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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.