



Journal of the Senate

Number 18—Regular Session

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CALL TO ORDER

The Senate was called to order by President Negron at 1:00 p.m. A quorum present—35:

Mr. President	Gainer	Rodriguez
Baxley	Galvano	Rouson
Bean	Garcia	Simmons
Benacquisto	Gibson	Simpson
Book	Hukill	Stargel
Bracy	Hutson	Steube
Bradley	Mayfield	Stewart
Brandes	Montford	Taddeo
Broxson	Passidomo	Thurston
Campbell	Perry	Torres
Farmer	Powell	Young
Flores	Rader	

PRAYER

The following prayer was offered by Rabbi Schneur Z. Oirechman, Chabad Lubavitch of the Panhandle, Tallahassee:

Almighty G-d, master of the universe in a world very much divided, we stand together. Our strength today comes from our common purpose to heal our grieving state. We ask for your blessings and wisdom, both to the Honorable Senate President, Joe Negron, and our distinguished state Senators.

Let us remember that evil has a long history. In fact, yesterday the Jewish people celebrated the holiday of Purim, and today is celebrated in some places in Israel as Sushan Purim, the day after Purim. We are commemorating an event—almost 2,400 years ago—when evil wanted to kill more than students and teachers; it demanded genocide. Haman, the Prime Minister of ancient Persia, had access to greater firepower than any rifle or gun. He had the king’s ring, and with it, he planned on murdering every Jew—man, woman, and child—in the empire. But, there were other voices in the government. Heroes like Queen Esther and the righteous Mordechai who, with the help of G-d, brought upon this great miracle of Purim. There were many lessons taught then; here is one: The queen did not request that the wicked Haman be punished; she merely asked the king to pause and consider his actions. She asked him for a moment of silence; a moment to think; a moment to reflect on the difference between right and wrong.

Almighty G-d, grant all of us assembled here today, the wisdom of Esther. Give us the courage to be heroes. More importantly, make sure that our young men and women still in school do not have to be heroes. May our schools be safe, a sanctuary against all violence. Let us provide our children a moment of silence in our most sacred of institutions, our schools; a moment to reflect on a higher power, on the source of light and goodness that will help them overcome any darkness in their lives. Let us, in this hallowed chamber, be the inspiration to our youth that although we were all created to look, think, and feel different, we can all make a positive difference. Let us all recognize heaven’s blessings and may we humbly answer, “Amen.”

PLEDGE

Senate Pages, Ben Bodkin of Tallahassee; Hayley DiMinno of Tallahassee; Jamison Godwin of Port St. Joe; and Rodney Wells II of Jacksonville, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

At the request of Senator Campbell—

By Senator Campbell—

SR 1806—A resolution recognizing the Town of Surfside on the occasion of the 83rd anniversary of its founding.

WHEREAS, the Town of Surfside was founded on May 18, 1935, by members of the Surf Club, an exclusive private club, and

WHEREAS, the Town of Surfside is an oceanfront community in Miami-Dade County between Bal Harbour and Miami Beach and is known as “Miami’s Uptown Beach Town,” and

WHEREAS, municipal buildings such as the current town hall, which was renovated in 2001, and the community center, built in 1962, which houses the library, tourist bureau, and the Town of Surfside’s recreation department, are widely praised facilities, and

WHEREAS, in order to preserve its aesthetic integrity and charm, the Town of Surfside maintains effective growth management and zoning policies and height requirements on condominiums and hotels along the oceanfront on Highway A1A, and

WHEREAS, in addition to its fine facilities and its efficient town services, the Town of Surfside is noted for its consistent commitment to the quality of life of its residents, and

WHEREAS, the Town of Surfside is led by Mayor Daniel Dietch, Vice Mayor Barry Richard Cohen, Town Manager Guillermo Olmedillo and councilors Daniel Gielchinsky, Michael Karukin, and Tina Paul, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That this legislative body recognizes the Town of Surfside as it celebrates the 83rd anniversary of its founding.

—was introduced, read, and adopted by publication.

At the request of Senator Campbell—

By Senator Campbell—

SR 1808—A resolution recognizing the City of Sunny Isles Beach on the occasion of the 21st anniversary of its incorporation.

WHEREAS, the City of Sunny Isles Beach was first christened as Sunny Isles when private investor Harvey Baker Graves purchased a 2.26-square-mile tract of land in 1920 for development as a tourist resort, and

WHEREAS, after the Haulover Bridge was completed in 1925 and made the area accessible from Miami Beach, developers began to create islands and peninsulas for building waterfront properties on Biscayne Bay, and

WHEREAS, Milwaukee malt magnate Kurtis Froedtert bought Sunny Isles in 1936 and built the Sunny Isles Pier, a popular tourist destination, and

WHEREAS, during the 1950s and 1960s, more than 30 motels were built along Collins Avenue, including the first two-story motel in the United States, and

WHEREAS, Sunny Isles was incorporated as the City of Sunny Isles Beach on June 16, 1997, and

WHEREAS, the City of Sunny Isles Beach is led by Mayor George “Bud” Scholl, Vice Mayor Dana Goldman, City Manager Christopher J. Russo and council members Isaac Aelion, Jeanette Gatto, and Larisa Svechin, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the City of Sunny Isles Beach is recognized on the occasion of the 21st anniversary of its incorporation.

—was introduced, read, and adopted by publication.

At the request of Senator Campbell—

By Senator Campbell—

SR 1810—A resolution recognizing the City of North Miami Beach on the occasion of the 91st anniversary of its founding.

WHEREAS, the City of North Miami Beach, originally known as the Town of Fulford, was incorporated as the City of Fulford in 1927, named in honor of United States Coast Guard Captain William H. Fulford, and

WHEREAS, after city officials annexed beachfront property in 1931, the municipality changed its name to the City of North Miami Beach as a way to take advantage of the growing fame associated with the Miami Beach area, and

WHEREAS, the rapidly developing City of North Miami Beach was formed and shaped by many important and influential figures, including Captain Fulford, Lafe Allen, Merle Tebbetts, and Carl Fisher, and

WHEREAS, the City of North Miami Beach established a foundation for the community’s future growth and economic prosperity with the construction of a city hall in 1936, the purchase of the Sunny Isles Water Company in 1945, the creation of the public works department in 1958, and the opening and dedication of the public library in 1966, and

WHEREAS, the City of North Miami Beach is home to many treasured sites and historic landmarks, including the Fulford-by-the-Sea Monument, the Ancient Spanish Monastery, Greynolds Park, Snake Creek Canal, the Victory Park Pool, and the Julius Littman Performing Arts Theater, and

WHEREAS, the City of North Miami Beach’s nearly 44,000 residents refer to their community as a place “where people care,” a slogan indicative of the warm and welcoming spirit that makes the city a great place to visit or to live, and

WHEREAS, the City of North Miami Beach is led by Mayor George Vallejo; Commissioners Anthony F. DeFillipo, Phyllis S. Smith, Beth E. Spiegel, Frantz Pierre, Barbara Kramer, and Marlen Martell; City Manager Ana M. Garcia, and Chief of Staff Nicole Gomez, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the City of North Miami Beach is recognized on the occasion of the 91st anniversary of its founding.

—was introduced, read, and adopted by publication.

At the request of Senator Campbell—

By Senator Campbell—

SR 1816—A resolution recognizing the City of Miami on the occasion of the 122nd anniversary of its incorporation.

WHEREAS, before the Spanish claimed the land along the Miami River in the 1500s, it was a Tequesta Indian settlement named for a word in their language meaning “big water,” and

WHEREAS, when the Spanish established a mission on the river’s north bank in the late 1500s, the Tequestas were targeted for conversion to Christianity and subsequently perished after contracting smallpox and other European-introduced diseases, and

WHEREAS, a wave of Native Americans migrated to South Florida in the 1700s, including the “Cimarron,” or “wild men” in Spanish, later known as the Seminole tribe, and

WHEREAS, after Florida was purchased from Spain and became part of the United States in 1819, three major wars were waged by the Seminoles against the government, slowing the settlement of the Miami area by white pioneers, and

WHEREAS, in the 1840s, plantation owner William English established the Village of Miami on the south bank of the Miami River, and wealthy widow Julia Tuttle established a large citrus plantation on the north side of the river, and

WHEREAS, Julia Tuttle, along with William and Mary Brickell, persuaded railroad magnate Henry Flagler to extend his railroad line to Miami, and

WHEREAS, the City of Miami was incorporated in 1896, boasting 444 residents, infrastructure, and a resort hotel financed by Flagler, and

WHEREAS, Miami became an instant tourist attraction and retreat for the rich and famous, earning the nickname “the Magic City” and prompting several real estate booms, and

WHEREAS, during one of the real estate booms, John Collins and Carl Fisher transformed Miami Beach into a tourist haven, and

WHEREAS, Miami rebounded after a devastating hurricane in 1926 and blossomed in the post-hurricane development years, and

WHEREAS, Miami today is still evolving as an international port and tourist destination and as a gateway for global industries establishing footholds in the United States, and

WHEREAS, the City of Miami is led by Mayor Francis Suarez, City Manager Daniel J. Alfonso, Chair Keon Hardemon, Vice Chair Ken Russell, and commissioners Wifredo Gort, Frank Carollo, and Manolo Reyes, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the City of Miami is recognized on the occasion of the 122nd anniversary of its incorporation.

—was introduced, read, and adopted by publication.

At the request of Senator Campbell—

By Senator Campbell—

SR 1818—A resolution recognizing the Town of Golden Beach on the occasion of the 89th anniversary of its founding.

WHEREAS, the Town of Golden Beach was incorporated on May 19, 1928, with the sleight of hand of residents of the enclave, who liberally construed the meaning of “residency” to allow visitors to vote on the measure to ensure passage with the required number of votes, and

WHEREAS, it wasn’t until May 23, 1929, that the Florida Legislature adopted a special act officially authorizing the incorporation, and

WHEREAS, founded by brothers R.W. and Henry G. Ralston, who transformed the land from mangrove swamps into an exclusive waterfront community, the Town of Golden Beach was recognized by Ripley’s as the only town in the nation with a jail from which you could fish by putting a pole out of the window, and

WHEREAS, once home to families such as the Firestones, the Duponts, and the Roosevelts, the Town of Golden Beach continues to attract celebrities as well as ordinary people, and

WHEREAS, the Town of Golden Beach Council is led by Mayor Glenn Singer and Vice Mayor Judy Lusskin and residents are represented by council members Kenneth Bernstein, Jaime Mendal, and Amy Isackson-Rojas, and the Town Manager is Alexander Diaz, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Town of Golden Beach is recognized on the occasion of the 89th anniversary of its founding.

—was introduced, read, and adopted by publication.

At the request of Senator Hukill—

By Senator Hukill—

SR 1934—A resolution recognizing December 15, 2018, as “Harry Tyson Moore and Harriette Vyda Simms Moore Day” in Florida.

WHEREAS, Harry Tyson Moore, born on November 18, 1905, and his wife, Harriette Vyda Simms Moore, born on June 19, 1902, were educators and civil rights activists, and

WHEREAS, in 1934, Harry Tyson Moore established the first Brevard County branch of the National Association for the Advancement of Colored People (NAACP) and became its president, and

WHEREAS, the couple traveled throughout the state organizing branches of the NAACP, and, in 1941, Harry Tyson Moore organized and became president of the NAACP Florida State Conference, and

WHEREAS, in a quest for equal rights, Harry Tyson Moore investigated lynchings and police brutality, fought against laws obstructing people of color who sought to participate in our government by voting, and, in 1945, organized the Progressive Voters League, and

WHEREAS, during this time, the Moores succeeded in increasing the registration of black voters in Florida to 31 percent of those eligible to vote, markedly higher than in any other southern state, and

WHEREAS, in July 1949, after four young black men were falsely accused of raping a white woman in Groveland, a white mob went on a rampage through Groveland’s black neighborhood, and the National Guard had to be called out to restore order, and

WHEREAS, after uncovering evidence that the “Groveland Four” had been brutally beaten, Harry Tyson Moore publicly accused notorious Lake County Sheriff Willis McCall of orchestrating the beatings, and

WHEREAS, on November 6, 1951, while Sheriff McCall was transporting two of the defendants, Walter Irvin and Sammy Shepherd, back

to Lake County for a retrial hearing, he shot them, killing Shepherd and critically wounding Irvin, and

WHEREAS, Harry Tyson Moore organized a campaign against what he saw as the wrongful convictions of the three surviving men and worked with attorney Thurgood Marshall to successfully appeal their convictions before the United States Supreme Court, and

WHEREAS, on Christmas night 1951, the Moores’ home in Mims, Florida, was bombed, and Harry Tyson Moore died en route to a hospital in Sanford, while Harriette Vyda Simms Moore clung to life until after her husband’s funeral, and she died January 3, 1952, and

WHEREAS, the protests over the Moores’ deaths caused a nationwide reaction, with dozens of rallies and memorial meetings around the country, and President Truman and Florida Governor Fuller Warren were inundated with telegrams and protest letters, and

WHEREAS, Harry Tyson Moore and Harriette Vyda Simms Moore were the first and only husband-and-wife civil rights activists to be murdered during the civil rights movement, and

WHEREAS, Harry Tyson Moore and Harriette Vyda Simms Moore were inducted into the Florida Civil Rights Hall of Fame, and their bravery, sacrifice, and achievements are recognized in the Smithsonian’s National Museum of African American History and Culture, and

WHEREAS, the legacy of Harry Tyson Moore and Harriette Vyda Simms Moore is honored at Harry T. and Harriette V. Moore Memorial Park, located at their homesite in Mims, Florida, through the implementation of community outreach programs and educational exhibits located inside the museum dedicated to the couple and their sacrifice, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That December 15, 2018, is recognized as “Harry Tyson Moore and Harriette Vyda Simms Moore Day” in Florida.

—was introduced, read, and adopted by publication.

At the request of Senator Rouson—

By Senator Rouson—

SR 1944—A resolution expressing appreciation to Father George Clements for his long and productive service as a Roman Catholic priest and for his vision in conceiving the One Church One Child initiative and other life-changing and life-saving programs.

WHEREAS, Father George Clements was born in Chicago in 1932, and, in 1945, became the first black graduate of Chicago’s Archbishop Quigley Preparatory Seminary, and

WHEREAS, on May 3, 1957, Father George Clements was ordained as a Roman Catholic priest of the Archdiocese of Chicago, and

WHEREAS, in 1980, while serving as the priest of Holy Angels Catholic Church in Chicago, Father George Clements started the One Church One Child program as a local initiative to find adoptive parents for African-American children, and

WHEREAS, under the inspired leadership of Father George Clements, One Church One Child has expanded nationwide, including One Church One Child of Florida, and more than 100,000 children have been adopted through the program, and

WHEREAS, after retiring from Holy Angels Catholic Church, Father George Clements moved to Washington, D.C., where, in 1994, he started the One Church One Addict program to assist churches nationwide in helping recovering drug addicts through job counseling, spiritual consolation, and professional treatment, and more than 1,000 churches in 35 states now participate in the program, and

WHEREAS, in 1999, Father George Clements started the One Church One Inmate program, a collaborative effort to help prison inmates and their families as inmates transition from incarceration to life as productive and spiritually healed law-abiding citizens, and

WHEREAS, Father George Clements, who himself adopted four children through One Church One Child, is the personification of Jesus Christ's teaching that we embrace "the least of these," NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate expresses appreciation to Father George Clements for his long and productive service as a Roman Catholic priest and for his vision in conceiving the One Church One Child initiative and other life-changing and life-saving programs.

—was introduced, read, and adopted by publication.

By direction of the President, the rules were waived and the Senate proceeded to—

SPECIAL ORDER CALENDAR

SB 1340—A bill to be entitled An act relating to the Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S.; adopting the Florida Statutes 2018 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 2018 shall be effective immediately upon publication; providing that general laws enacted during the June 7-9, 2017, special session and prior thereto and not included in the Florida Statutes 2018 are repealed; providing that general laws enacted after the June 7-9, 2017, special session are not repealed by this adoption act; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1340**, pursuant to Rule 3.11(3), there being no objection, **HB 7021** was withdrawn from the Committee on Rules.

On motion by Senator Benacquisto—

HB 7021—A bill to be entitled An act relating to the Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S.; adopting the Florida Statutes 2018 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 2018 shall be effective immediately upon publication; providing that general laws enacted during the June 7-9, 2017, special session and prior thereto and not included in the Florida Statutes 2018 are repealed; providing that general laws enacted after the June 7-9, 2017, special session are not repealed by this adoption act; providing an effective date.

—a companion measure, was substituted for **SB 1340** and read the second time by title.

Pursuant to Rule 4.19, **HB 7021** was placed on the calendar of Bills on Third Reading.

CS for SB 1342—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 14.20195, 14.31, 27.341, 27.405, 27.511, 39.3035, 106.34, 119.071, 119.092, 121.091, 197.3632, 197.502, 199.303, 206.8745, 213.755, 215.442, 215.444, 215.4725, 252.357, 252.358, 258.501, 261.04, 261.20, 284.02, 286.29, 288.0001, 288.101, 288.1258, 315.03, 320.833, 320.865, 331.3051, 332.007, 344.26, 364.386, 366.92, 373.036, 373.042, 373.470, 373.709, 376.303, 379.2495, 381.986, 381.987, 394.75, 400.6045, 403.061, 403.064, 408.0611, 408.062, 408.811, 408.9091, 409.1754, 409.906, 409.913, 420.609, 429.52, 429.75, 455.219, 456.013, 456.017, 456.041, 462.18, 471.003, 475.451, 475.611, 477.014, 487.2071, 489.529, 490.012, 497.140, 497.282, 497.468, 497.552, 497.553, 497.608, 499.012, 499.01211, 509.049, 520.68, 554.115, 559.11, 626.9541, 627.066, 627.285, 627.748, 663.532, 741.0306, 744.331, 796.04, 817.311, 817.625, 876.24, 905.37, 943.0311, 944.48, 948.03, 1000.06, 1001.215, 1002.61, 1003.4282, 1003.491, 1003.621, 1004.4473, 1006.735, 1007.01, 1011.67, 1011.71, and 1013.64, F.S.; and reenacting ss. 1001.42 and 1008.34, F.S.; deleting provisions that have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, re-

dundancies, and unnecessary repetition in the statutes; and improving the clarity of the statutes and facilitating their correct interpretation; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1342**, pursuant to Rule 3.11(3), there being no objection, **HB 7023** was withdrawn from the Committee on Rules.

On motion by Senator Benacquisto—

HB 7023—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 14.20195, 14.31, 27.341, 27.405, 27.511, 39.3035, 106.34, 119.071, 119.092, 121.091, 197.3632, 197.502, 199.303, 206.8745, 213.755, 215.442, 215.444, 215.4725, 252.357, 252.358, 258.501, 261.04, 261.20, 284.02, 286.29, 288.0001, 288.101, 288.1258, 315.03, 320.833, 320.865, 331.3051, 332.007, 344.26, 364.386, 366.92, 373.036, 373.042, 373.470, 373.709, 376.303, 379.2495, 381.986, 381.987, 394.75, 400.6045, 403.061, 403.064, 408.0611, 408.062, 408.811, 408.9091, 409.1754, 409.906, 409.913, 420.609, 429.52, 429.75, 455.219, 456.013, 456.017, 456.041, 462.18, 471.003, 475.451, 475.611, 477.014, 487.2071, 489.529, 490.012, 497.140, 497.282, 497.468, 497.552, 497.553, 497.608, 499.012, 499.01211, 509.049, 520.68, 554.115, 559.11, 626.9541, 627.066, 627.285, 627.748, 663.532, 741.0306, 744.331, 796.04, 817.311, 817.625, 876.24, 905.37, 943.0311, 944.48, 948.03, 1000.06, 1001.215, 1002.61, 1003.4282, 1003.491, 1003.621, 1004.4473, 1006.735, 1007.01, 1011.67, 1011.71, and 1013.64, F.S.; and reenacting ss. 1001.42 and 1008.34, F.S.; deleting provisions that have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; and improving the clarity of the statutes and facilitating their correct interpretation; providing an effective date.

—a companion measure, was substituted for **CS for SB 1342** and read the second time by title.

Pursuant to Rule 4.19, **HB 7023** was placed on the calendar of Bills on Third Reading.

SB 1344—A reviser's bill to be entitled An act relating to the Florida Statutes; repealing ss. 39.0011, 161.143(5)(e), 193.1552, 216.292(8), 218.417, 218.418, 218.421, 218.422, 259.105(3)(m), 272.136(7), 296.37(3), 322.03(1)(c), 327.4105, 328.76(1)(e) and (f), 339.135(4)(i) and (j) and (5)(b) and (c), 375.075(4), 380.507(2)(h), 393.065(8), 403.7095(3), 408.0436, 420.5087(10), 420.9072(10), 430.82, 663.01(9), 663.041, 893.055(17), 1008.34(7), and 1012.341, F.S., and amending ss. 212.08(7)(jjj) and 394.462, F.S., to delete provisions which have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), F.S., may be omitted from the 2018 Florida Statutes only through a reviser's bill duly enacted by the Legislature; amending ss. 39.001, 409.1666, and 663.532, F.S., to conform cross-references; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1344**, pursuant to Rule 3.11(3), there being no objection, **HB 7025** was withdrawn from the Committee on Rules.

On motion by Senator Benacquisto—

HB 7025—A reviser's bill to be entitled An act relating to the Florida Statutes; repealing ss. 39.0011, 161.143(5)(e), 193.1552, 216.292(8), 218.417, 218.418, 218.421, 218.422, 259.105(3)(m), 272.136(7), 296.37(3), 322.03(1)(c), 327.4105, 328.76(1)(e) and (f), 339.135(4)(i) and (j) and (5)(b) and (c), 375.075(4), 380.507(2)(h), 393.065(8), 403.7095(3), 408.0436, 420.5087(10), 420.9072(10), 430.82, 663.01(9), 663.041, 893.055(17), 1008.34(7), and 1012.341, F.S., and amending ss. 212.08(7)(jjj) and 394.462, F.S., to delete provisions which have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), F.S., may be omitted from the 2018 Florida Statutes only through a reviser's bill duly enacted by the Legislature; amending

ss. 39.001, 409.1666, and 663.532, F.S., to conform cross-references; providing an effective date.

—a companion measure, was substituted for **SB 1344** and read the second time by title.

Pursuant to Rule 4.19, **HB 7025** was placed on the calendar of Bills on Third Reading.

SB 1346—A reviser’s bill to be entitled An act relating to the Florida Statutes; amending ss. 20.2551, 101.5614, 122.34, 201.02, 394.907, 395.602, 395.603, and 395.604, F.S., to conform to the directive of the Legislature in section 9 of chapter 2012-116, Laws of Florida, codified as section 11.242(5)(j), Florida Statutes, to prepare a reviser’s bill to omit all statutes and laws, or parts thereof, which grant duplicative, redundant, or unused rulemaking authority; amending ss. 101.6952, 102.141, and 102.166, F.S., to conform cross-references; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1346**, pursuant to Rule 3.11(3), there being no objection, **HB 7027** was withdrawn from the Committee on Rules.

On motion by Senator Benacquisto—

HB 7027—A reviser’s bill to be entitled An act relating to the Florida Statutes; amending ss. 20.2551, 101.5614, 122.34, 201.02, 394.907, 395.602, 395.603, and 395.604, F.S., to conform to the directive of the Legislature in section 9 of chapter 2012-116, Laws of Florida, codified as section 11.242(5)(j), Florida Statutes, to prepare a reviser’s bill to omit all statutes and laws, or parts thereof, which grant duplicative, redundant, or unused rulemaking authority; amending ss. 101.6952, 102.141, and 102.166, F.S., to conform cross-references; providing an effective date.

—a companion measure, was substituted for **SB 1346** and read the second time by title.

Pursuant to Rule 4.19, **HB 7027** was placed on the calendar of Bills on Third Reading.

On motion by Senator Benacquisto—

CS for HB 7055—A bill to be entitled An act relating to education; amending s. 11.45, F.S.; revising the duties of the Auditor General; amending s. 112.313, F.S.; prohibiting former appointed district school superintendents from conducting certain lobbying activities; amending s. 112.31455, F.S.; requiring the governing body of a district school board to be notified if an officer or employee of the body owes a certain fine; requiring the governing body of a district school board to take specified actions under such circumstances; creating s. 212.1832, F.S.; authorizing certain persons to receive a tax credit for certain contributions to eligible nonprofit scholarship-funding organizations for the Hope Scholarship Program; providing requirements for motor vehicle dealers; requiring the Department of Revenue to disregard certain tax credits for specified purposes; providing that specified provisions apply to certain provisions; amending s. 213.053, F.S.; requiring the Department of Revenue to share specified information with eligible nonprofit scholarship-funding organizations; providing that certain requirements apply to such organizations; creating s. 250.483, F.S.; providing requirements relating to licensure or qualification of persons ordered into active duty; amending s. 446.041, F.S.; providing duties of the Department of Education; amending s. 446.081, F.S.; providing construction; creating s. 683.147, F.S.; designating March 25 of each year as “Medal of Honor Day”; amending s. 1001.10, F.S.; authorizing the Commissioner of Education to coordinate resources during an emergency; amending s. 1001.20, F.S.; requiring the Office of Inspector General to investigate certain allegations and reports made by specified individuals; amending s. 1001.39, F.S.; requiring a district school board member’s travel outside of the school district to be preapproved and meet certain criteria; providing requirements for such member’s request for travel outside of the state; providing an opportunity for the public to speak on such travel; amending s. 1001.395, F.S.; providing that certain requirements for the salaries of district school board members apply every, rather

than one specific, fiscal year; amending s. 1001.42, F.S.; providing that the standards of ethical conduct apply to administrative personnel and school officers; authorizing district school board members to request and receive specified budget information; requiring employment of internal auditors in certain school districts; revising provisions relating to the duties of such internal auditors; amending s. 1001.51, F.S.; revising the duties and responsibilities of school district superintendents relating to the organization and operation of schools; amending s. 1002.33, F.S.; revising the criteria for denying high-performing charter school system applications; revising the requirements for the term of a charter; revising provisions for the modification of and the nonrenewal or termination of a charter; revising the process for resolving contractual disputes; amending s. 1002.331, F.S.; revising the criteria for designation as a high-performing charter school; revising the calculation used to determine facility capacity for such charter schools; revising the number of schools that can be established by a high-performing charter school; amending s. 1002.333, F.S.; providing for certain funds for the Schools of Hope Program to be carried forward for a specified number of years; amending s. 1002.37, F.S.; providing that certain students shall be given priority; requiring school districts to provide Florida Virtual School students access to certain examinations and assessments and certain information; amending s. 1002.385, F.S.; revising eligible expenditures for the Gardiner Scholarship Program; conforming provisions to changes made by the act; amending s. 1002.39, F.S.; conforming provisions to changes made by the act; amending s. 1002.395, F.S.; revising the requirements for an annual report of certain student data for the Florida Tax Credit Scholarship Program; conforming provisions to changes made by the act; creating s. 1002.40, F.S.; establishing the Hope Scholarship Program; providing the purpose of the program; providing definitions; providing eligibility requirements; prohibiting the payment of a scholarship under certain circumstances; requiring a school principal to investigate a report of physical violence or emotional abuse; requiring a school district to notify an eligible student’s parent of the program; requiring a school district to provide certain information relating to the statewide assessment program; providing requirements and obligations for eligible private schools; providing department obligations relating to participating students and private schools and program requirements; providing parent and student responsibilities for initial and continued participation in the program; providing eligible nonprofit scholarship-funding organization obligations; providing for the calculation of the scholarship amount; providing the scholarship amount for students transferred to certain public schools; requiring verification of specified information before a scholarship may be disbursed; providing requirements for the scholarship payments; providing funds for administrative expenses for certain nonprofit scholarship-funding organizations; providing requirements for administrative expenses; prohibiting an eligible nonprofit scholarship-funding organization from charging an application fee; providing Auditor General obligations; providing requirements for taxpayer elections to contribute to the program; requiring the Department of Revenue to adopt forms to administer the program; providing reporting requirements for eligible nonprofit scholarship-funding organizations relating to taxpayer contributions; providing requirements for certain agents of the Department of Revenue and motor vehicle dealers; providing penalties; providing for the restitution of specified funds under certain circumstances; providing that the state is not liable for the award or use of program funds; prohibiting additional regulations for private schools participating in the program beyond those necessary to enforce program requirements; requiring the State Board of Education and the Department of Revenue to adopt rules to administer the program; creating s. 1002.411, F.S.; establishing reading scholarship accounts for specified purposes; providing for eligibility for scholarships; providing for administration; providing duties of the Department of Education; providing school district obligations; specifying options for parents; providing that maximum funding shall be specified in the General Appropriations Act; providing for payment of funds; specifying that no state liability arises from the award or use of such an account; amending s. 1002.421, F.S.; providing private school requirements for participation in educational scholarship programs; providing background screening requirements and procedures for owners of private schools; providing that a private school is ineligible to participate in an educational scholarship program under certain circumstances; providing department obligations relating to educational scholarship programs; providing commissioner authority and responsibilities for educational scholarship programs; authorizing the commissioner to deny, suspend, or revoke a private school’s participation in an educational scholarship program; amending s. 1003.42, F.S.; revising the requirements for certain required instruction; pro-

viding for a character development program that incorporates the values of the recipients of the Congressional Medal of Honor; amending s. 1003.576, F.S.; requiring a specified IEP system to be used statewide; deleting an obsolete date; amending s. 1006.07, F.S.; revising district school board duties to include security risk assessments; requiring certain self-assessments to be in a specified format; amending s. 1007.271, F.S.; deleting a requirement for a home education student to provide his or her own instructional materials; revising the requirements for home education and private school articulation agreements; amending s. 1008.22, F.S.; requiring certain portions of the English Language Arts assessments to include social studies content; revising the format requirements for certain statewide assessments; requiring published assessment items to be in a format that meets certain criteria; amending s. 1010.20, F.S.; requiring each school district to report certain expenditures to the Department of Education; providing department responsibilities; amending s. 1010.30, F.S.; requiring certain entities to provide an audit overview under certain circumstances; providing for the contents of the overview; amending ss. 1011.01 and 1011.03, F.S.; conforming provisions to changes made by the act; amending s. 1011.035, F.S.; requiring each district school board to post on its website certain graphical representations and a link to a certain web-based tool; providing requirements for such graphical representations; amending s. 1011.051, F.S.; requiring a district school board to limit certain expenditures by a specified amount if certain financial conditions exist for a specified period of time; requiring the department to contract with a third party to conduct an investigation under certain circumstances; providing requirements for such investigation; requiring the results of such investigation to include certain information and be provided to certain entities; amending s. 1011.06, F.S.; requiring each district school board to approve certain expenditures by complying with specified provisions and amending its budget; requiring such board to provide a public explanation for such budget amendments; amending s. 1011.09, F.S.; providing certain expenditure limitations for a school district that meets specified criteria; amending s. 1011.10, F.S.; requiring certain school districts to withhold district school board member and school district superintendent salaries until certain conditions are corrected; amending s. 1011.60, F.S.; conforming cross-references; amending s. 1011.62, F.S.; renaming the “supplemental academic instruction categorical fund” as the “supplemental academic instruction allocation”; requiring certain school districts to use the allocation for specified purposes; deleting an obsolete date; deleting a provision authorizing the Florida State University School to expend specified funds for certain purposes; prohibiting the award of certain bonuses to teachers who fail to maintain the security of certain examinations or violate certain protocols; authorizing the state board to adopt rules for specified purposes; conforming provisions to changes made by the act; revising the research-based reading instruction allocation; revising the criteria for establishing the 300 lowest-performing elementary schools; providing requirements for staffing summer reading camps funded through the allocation; requiring school districts that meet specified criteria, rather than all school districts, to submit a comprehensive reading plan for specified purposes; deleting provisions for the release or withholding of funds based on a school district’s comprehensive reading plan; revising a definition; amending s. 1011.6202, F.S.; renaming the “Principal Autonomy Pilot Program” as the “Principal Autonomy Program”; providing that any school district may apply to participate in the program; providing that a school shall retain its exemption from specified laws under specified circumstances; requiring a designated leadership team at a participating school to complete a certain turnaround program; deleting a provision providing a specified amount of funds to a participating school district that completes the turnaround program; authorizing certain principals to manage additional schools under the control of an independent governing board; providing requirements for such schools; providing for such schools to participate in the program; providing requirements for such participation; specifying that no school district liability arises from the management of such schools; deleting a school’s authority to renew participation in the program; deleting reporting requirements; providing for funding; revising the principal eligibility criteria for a salary supplement through the program; repealing s. 1011.64, F.S., relating to school district minimum classroom expenditure requirements; amending s. 1011.69, F.S.; authorizing certain high schools to receive Title I funds; providing that a school district may withhold Title I funds for specified purposes; authorizing certain schools to use Title I funds for specified purposes; amending s. 1011.71, F.S.; prohibiting a school district from withholding charter school administrative fees under certain circumstances; amending s. 1012.23, F.S.; prohibiting a school district super-

intendent and district school board from appointing or employing certain individuals in certain positions; providing an exception; requiring the Commission on Ethics to investigate alleged violations; amending s. 1012.2315, F.S.; requiring certain employee organizations to include specified information in a specified application and to petition for recertification for specified purposes; amending s. 1012.28, F.S.; conforming provisions to changes made by the act; amending s. 1012.32, F.S.; requiring a district school board to reimburse certain costs if it fails to notify a charter school of the eligibility status of certain persons; amending s. 1012.55, F.S.; requiring the state board to issue a temporary certificate in educational leadership to certain persons; providing that certain instructors may receive the funds through a specified program; amending s. 1012.56, F.S.; requiring the state board to adopt certain rules relating to temporary educator certificates; amending s. 1012.562, F.S.; authorizing charter schools and charter management organizations to offer school leader preparation programs; amending s. 1012.59, F.S.; requiring the state board to waive certain fees for specified persons; amending s. 1012.98, F.S.; requiring professional development resources to include sample course-at-a-glance and unit overview templates; providing requirements for such templates; amending s. 1013.28, F.S.; requiring school districts to provide charter schools access to certain property on the same basis as public schools; prohibiting certain actions by a charter school without the written permission of the school district; amending s. 1013.385, F.S.; providing additional exceptions to certain building code regulations for school districts; amending s. 1013.62, F.S.; revising requirements for charter school capital outlay funding; conforming provisions to changes made by the act; providing appropriations; authorizing the Department of Revenue to adopt emergency rules for specified purposes; providing an effective date.

—was read the second time by title.

The Committee on Appropriations recommended the following substitute amendment to **Amendment 2 (903516)** which was moved by Senator Passidomo and failed:

Amendment 1 (692180) (with title amendment)—Delete every-thing 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 organization under s. 1002.40 against any tax imposed by the state and collected from the purchaser by a dealer, designated agent, or private tag agent as a result of the purchase or acquisition of a motor vehicle. For purposes of this subsection, the term “purchase” does not include the lease or rental of a motor vehicle.*

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

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

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

213.053 Confidentiality and information sharing.—

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

of recovering eligible contributions designated for that organization that were collected by the dealer but never remitted to the organization.

(b) Nothing in this subsection authorizes the disclosure of information if such disclosure is prohibited by federal law. An eligible nonprofit scholarship-funding organization is bound by the same requirements of confidentiality and the same penalties for a violation of the requirements as the department.

Section 3. Effective July 1, 2019, chapter 623, Florida Statutes, consisting of sections 623.01, 623.02, 623.03, 623.04, 623.05, 623.06, 623.07, 623.08, 623.09, 623.10, 623.11, 623.12, 623.13, and 623.14, is repealed.

Section 4. Subsections (4) and (5) of section 1001.10, Florida Statutes, are amended to read:

1001.10 Commissioner of Education; general powers and duties.—

(4) The Department of Education shall provide technical assistance to school districts, charter schools, the Florida School for the Deaf and the Blind, and private schools that accept scholarship students under s. 1002.385, s. 1002.39, ~~or~~ s. 1002.395, or another state scholarship program under chapter 1002 in the development of policies, procedures, and training related to employment practices and standards of ethical conduct for instructional personnel and school administrators, as defined in s. 1012.01.

(5) The Department of Education shall provide authorized staff of school districts, charter schools, the Florida School for the Deaf and the Blind, and private schools that accept scholarship students under s. 1002.385, s. 1002.39, ~~or~~ s. 1002.395, or another state scholarship program under chapter 1002 with access to electronic verification of information from the following employment screening tools:

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

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

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

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

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

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

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

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

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

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

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

1002.01 Definitions.—

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

(2) A "private school" is a nonpublic school *that is registered in accordance with s. 1002.42 and is* defined as an individual, association, copartnership, or corporation, or department, division, or section of such organizations, that designates itself as an educational center that includes kindergarten or a higher grade or as an elementary, secondary, business, technical, or trade school below college level or any organization that provides instructional services that meet the intent of s. 1003.01(13) or that gives preemployment or supplementary training in technology or in fields of trade or industry or that offers academic, literary, or career training below college level, or any combination of the above, including an institution that performs the functions of the above schools through correspondence or extension, except those licensed under the provisions of chapter 1005. A private school may be a parochial, religious, denominational, for-profit, or nonprofit school *attended by a student in order to satisfy the attendance requirements of s. 1003.01(13).* This definition does not include home education programs conducted in accordance with s. 1002.41.

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

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

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

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

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

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

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

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

(2) ATTENDANCE.—

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

(6) EDUCATIONAL CHOICE.—

(a) *Public educational school choices*.—Parents of public school students may seek any public educational school choice options that are applicable and available to students throughout the state. These options may include controlled open enrollment, single-gender programs, lab schools, virtual instruction programs, charter schools, charter technical career centers, magnet schools, alternative schools, special programs, auditory-oral education programs, advanced placement, dual enroll-

ment, International Baccalaureate, International General Certificate of Secondary Education (pre-AICE), CAPE digital tools, CAPE industry certifications, collegiate high school programs, Advanced International Certificate of Education, early admissions, credit by examination or demonstration of competency, the New World School of the Arts, the Florida School for the Deaf and the Blind, and the Florida Virtual School. These options may also include the public educational choice options of the Opportunity Scholarship Program and the McKay Scholarships for Students with Disabilities Program.

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

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

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

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

4. Under the *Hope Scholarship Program*, the parent of a student who was the victim of a substantiated incident of violence or abuse while attending a public school may seek a scholarship for the student to attend a private school in accordance with s. 1002.40.

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

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

Section 8. Paragraphs (d) through (g) of subsection (8) of section 1002.33, Florida Statutes, are redesignated as paragraphs (c) through (f), respectively, and paragraph (b) of subsection (6), paragraphs (a), (d), and (e) of subsection (7), present paragraphs (a), (b), and (c) of subsection (8), paragraph (n) of subsection (9), and paragraph (b) of subsection (20) of that section are amended, to read:

1002.33 Charter schools.—

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

(b) A sponsor shall receive and review all applications for a charter school using the evaluation instrument developed by the Department of Education. A sponsor shall receive and consider charter school applications received on or before August 1 of each calendar year for charter schools to be opened at the beginning of the school district's next school year, or to be opened at a time agreed to by the applicant and the sponsor. A sponsor may not refuse to receive a charter school application submitted before August 1 and may receive an application submitted later than August 1 if it chooses. Beginning in 2018 and thereafter, a sponsor shall receive and consider charter school applications received on or before February 1 of each calendar year for charter schools to be opened 18 months later at the beginning of the school district's school year, or to be opened at a time agreed to by the applicant and the sponsor. A sponsor may not refuse to receive a charter school application submitted before February 1 and may receive an application submitted later than February 1 if it chooses. A sponsor may not charge an applicant for a charter any fee for the processing or consideration of an application, and a sponsor may not base its consideration or approval of a final application upon the promise of future payment of any kind. Before approving or denying any application, the

sponsor shall allow the applicant, upon receipt of written notification, at least 7 calendar days to make technical or nonsubstantive corrections and clarifications, including, but not limited to, corrections of grammatical, typographical, and like errors or missing signatures, if such errors are identified by the sponsor as cause to deny the final application.

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

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

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

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

(I) The application of a high-performing charter school does not materially comply with the requirements in paragraph (a) or, for a high-performing charter school system, the application does not materially comply with s. 1002.332(2)(b);

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

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

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

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

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

c. If the sponsor denies an application submitted by a high-performing charter school or a high-performing charter school system, the sponsor must, within 10 calendar days after such denial, state in writing the specific reasons, based upon the criteria in sub-subparagraph b., supporting its denial of the application and must provide the letter of denial and supporting documentation to the applicant and

to the Department of Education. The applicant may appeal the sponsor's denial of the application in accordance with paragraph (c).

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

5. Upon approval of an application, the initial startup shall commence with the beginning of the public school calendar for the district in which the charter is granted. A charter school may defer the opening of the school's operations for up to 3 ½ years to provide time for adequate facility planning. The charter school must provide written notice of such intent to the sponsor and the parents of enrolled students at least 30 calendar days before the first day of school.

(7) CHARTER.—The terms and conditions for the operation of a charter school shall be set forth by the sponsor and the applicant in a written contractual agreement, called a charter. The sponsor and the governing board of the charter school shall use the standard charter contract pursuant to subsection (21), which shall incorporate the approved application and any addenda approved with the application. Any term or condition of a proposed charter contract that differs from the standard charter contract adopted by rule of the State Board of Education shall be presumed a limitation on charter school flexibility. The sponsor may not impose unreasonable rules or regulations that violate the intent of giving charter schools greater flexibility to meet educational goals. The charter shall be signed by the governing board of the charter school and the sponsor, following a public hearing to ensure community input.

(a) The charter shall address and criteria for approval of the charter shall be based on:

1. The school's mission, the students to be served, and the ages and grades to be included.

2. The focus of the curriculum, the instructional methods to be used, any distinctive instructional techniques to be employed, and identification and acquisition of appropriate technologies needed to improve educational and administrative performance which include a means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards.

a. The charter shall ensure that reading is a primary focus of the curriculum and that resources are provided to identify and provide specialized instruction for students who are reading below grade level. The curriculum and instructional strategies for reading must be consistent with the Next Generation Sunshine State Standards and grounded in scientifically based reading research.

b. In order to provide students with access to diverse instructional delivery models, to facilitate the integration of technology within traditional classroom instruction, and to provide students with the skills they need to compete in the 21st century economy, the Legislature encourages instructional methods for blended learning courses consisting of both traditional classroom and online instructional techniques. Charter schools may implement blended learning courses which combine traditional classroom instruction and virtual instruction. Students in a blended learning course must be full-time students of the charter school pursuant to s. 1011.61(1)(a)1. Instructional personnel certified pursuant to s. 1012.55 who provide virtual instruction for blended learning courses may be employees of the charter school or may be under contract to provide instructional services to charter school students. At a minimum, such instructional personnel must hold an active state or school district adjunct certification under s. 1012.57 for the subject area of the blended learning course. The funding and performance accountability requirements for blended learning courses are the same as those for traditional courses.

3. The current incoming baseline standard of student academic achievement, the outcomes to be achieved, and the method of measurement that will be used. The criteria listed in this subparagraph shall include a detailed description of:

a. How the baseline student academic achievement levels and prior rates of academic progress will be established.

b. How these baseline rates will be compared to rates of academic progress achieved by these same students while attending the charter school.

c. To the extent possible, how these rates of progress will be evaluated and compared with rates of progress of other closely comparable student populations.

The district school board is required to provide academic student performance data to charter schools for each of their students coming from the district school system, as well as rates of academic progress of comparable student populations in the district school system.

4. The methods used to identify the educational strengths and needs of students and how well educational goals and performance standards are met by students attending the charter school. The methods shall provide a means for the charter school to ensure accountability to its constituents by analyzing student performance data and by evaluating the effectiveness and efficiency of its major educational programs. Students in charter schools shall, at a minimum, participate in the statewide assessment program created under s. 1008.22.

5. In secondary charter schools, a method for determining that a student has satisfied the requirements for graduation in s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

6. A method for resolving conflicts between the governing board of the charter school and the sponsor.

7. The admissions procedures and dismissal procedures, including the school's code of student conduct. Admission or dismissal must not be based on a student's academic performance.

8. The ways by which the school will achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other public schools in the same school district.

9. The financial and administrative management of the school, including a reasonable demonstration of the professional experience or competence of those individuals or organizations applying to operate the charter school or those hired or retained to perform such professional services and the description of clearly delineated responsibilities and the policies and practices needed to effectively manage the charter school. A description of internal audit procedures and establishment of controls to ensure that financial resources are properly managed must be included. Both public sector and private sector professional experience shall be equally valid in such a consideration.

10. The asset and liability projections required in the application which are incorporated into the charter and shall be compared with information provided in the annual report of the charter school.

11. A description of procedures that identify various risks and provide for a comprehensive approach to reduce the impact of losses; plans to ensure the safety and security of students and staff; plans to identify, minimize, and protect others from violent or disruptive student behavior; and the manner in which the school will be insured, including whether or not the school will be required to have liability insurance, and, if so, the terms and conditions thereof and the amounts of coverage.

12. The term of the charter which shall provide for cancellation of the charter if insufficient progress has been made in attaining the student achievement objectives of the charter and if it is not likely that such objectives can be achieved before expiration of the charter. The initial term of a charter shall be for ~~4 or~~ 5 years, *excluding 1 planning year*. In order to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a municipality or other public entity as provided by law are eligible for up to a 15-year charter, subject to approval by the district school board. A charter lab school is eligible for a charter for a term of up to 15 years. In addition, to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a private, not-for-profit, s. 501(c)(3) status corporation are eligible for up to a 15-year charter, subject to approval by the district school board. Such long-term charters remain subject to annual review and may be terminated during the term of the charter, but only according to the provisions set forth in subsection (8).

13. The facilities to be used and their location. The sponsor may not require a charter school to have a certificate of occupancy or a temporary certificate of occupancy for such a facility earlier than 15 calendar days before the first day of school.

14. The qualifications to be required of the teachers and the potential strategies used to recruit, hire, train, and retain qualified staff to achieve best value.

15. The governance structure of the school, including the status of the charter school as a public or private employer as required in paragraph (12)(i).

16. A timetable for implementing the charter which addresses the implementation of each element thereof and the date by which the charter shall be awarded in order to meet this timetable.

17. In the case of an existing public school that is being converted to charter status, alternative arrangements for current students who choose not to attend the charter school and for current teachers who choose not to teach in the charter school after conversion in accordance with the existing collective bargaining agreement or district school board rule in the absence of a collective bargaining agreement. However, alternative arrangements shall not be required for current teachers who choose not to teach in a charter lab school, except as authorized by the employment policies of the state university which grants the charter to the lab school.

18. Full disclosure of the identity of all relatives employed by the charter school who are related to the charter school owner, president, chairperson of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school who has equivalent decisionmaking authority. For the purpose of this subparagraph, the term "relative" means father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

19. Implementation of the activities authorized under s. 1002.331 by the charter school when it satisfies the eligibility requirements for a high-performing charter school. A high-performing charter school shall notify its sponsor in writing by March 1 if it intends to increase enrollment or expand grade levels the following school year. The written notice shall specify the amount of the enrollment increase and the grade levels that will be added, as applicable.

(d) A charter may be modified during its initial term or any renewal term upon the recommendation of the sponsor or the charter school's governing board and the approval of both parties to the agreement. Modification *during any term* may include, but is not limited to, consolidation of multiple charters into a single charter if the charters are operated under the same governing board ~~and physically located on the same campus~~, regardless of the renewal cycle. *A charter school with a grade of "C" or higher that closes as part of a consolidation shall be reported by the school district as a consolidation.*

(e) A charter may be terminated by a charter school's governing board through voluntary closure. The decision to cease operations must be determined at a public meeting. The governing board shall notify the parents and sponsor of the public meeting in writing before the public meeting. The governing board must notify the sponsor, parents of enrolled students, and the department in writing within 24 hours after the public meeting of its determination. The notice shall state the charter school's intent to continue operations or the reason for the closure and acknowledge that the governing board agrees to follow the procedures for dissolution and reversion of public funds pursuant to *paragraphs (8)(d)-(f) and (9)(a) paragraphs (8)(e)-(g) and (9)(c).*

(8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.—

(a) The sponsor shall make student academic achievement for all students the most important factor when determining whether to renew or terminate the charter. The sponsor may also choose not to renew or may terminate the charter *if the sponsor finds that one of the grounds*

set forth below exists by clear and convincing evidence for any of the following grounds:

1. Failure to participate in the state's education accountability system created in s. 1008.31, as required in this section, or failure to meet the requirements for student performance stated in the charter.
2. Failure to meet generally accepted standards of fiscal management.
3. *Material* violation of law.
4. Other good cause shown.

(b) At least 90 days before renewing, nonrenewing, or terminating a charter, the sponsor shall notify the governing board of the school of the proposed action in writing. The notice shall state in reasonable detail the grounds for the proposed action and stipulate that the school's governing board may, within 14 calendar days after receiving the notice, request a hearing. The hearing shall be conducted ~~at the sponsor's election in accordance with one of the following procedures:~~

~~1. A direct hearing conducted by the sponsor within 60 days after receipt of the request for a hearing. The hearing shall be conducted in accordance with ss. 120.569 and 120.57. The sponsor shall decide upon nonrenewal or termination by a majority vote. The sponsor's decision shall be a final order; or~~

~~2. A hearing conducted by an administrative law judge assigned by the Division of Administrative Hearings. The hearing shall be conducted within 90 60 days after receipt of the request for a hearing and in accordance with chapter 120. The administrative law judge's *final recommended* order shall be submitted to the sponsor. *The administrative law judge shall award the prevailing party reasonable attorney fees and costs incurred during the administrative proceeding and any appeals. A majority vote by the sponsor shall be required to adopt or modify the administrative law judge's recommended order. The sponsor shall issue a final order.*~~

~~(c) The final order shall state the specific reasons for the sponsor's decision. The sponsor shall provide its final order to the charter school's governing board and the Department of Education no later than 10 calendar days after its issuance. The charter school's governing board may, within 30 calendar days after receiving the sponsor's final order, appeal the decision pursuant to s. 120.68.~~

(9) CHARTER SCHOOL REQUIREMENTS.—

(n)1. The director and a representative of the governing board of a charter school that has earned a grade of "D" or "F" pursuant to s. 1008.34 shall appear before the sponsor to present information concerning each contract component having noted deficiencies. The director and a representative of the governing board shall submit to the sponsor for approval a school improvement plan to raise student performance. Upon approval by the sponsor, the charter school shall begin implementation of the school improvement plan. The department shall offer technical assistance and training to the charter school and its governing board and establish guidelines for developing, submitting, and approving such plans.

2.a. If a charter school earns three consecutive grades below a "C," the charter school governing board shall choose one of the following corrective actions:

- (I) Contract for educational services to be provided directly to students, instructional personnel, and school administrators, as prescribed in state board rule;
- (II) Contract with an outside entity that has a demonstrated record of effectiveness to operate the school;
- (III) Reorganize the school under a new director or principal who is authorized to hire new staff; or
- (IV) Voluntarily close the charter school.

b. The charter school must implement the corrective action in the school year following receipt of a third consecutive grade below a "C."

c. The sponsor may annually waive a corrective action if it determines that the charter school is likely to improve a letter grade if additional time is provided to implement the intervention and support strategies prescribed by the school improvement plan. Notwithstanding this sub-subparagraph, a charter school that earns a second consecutive grade of “F” is subject to subparagraph 3.

d. A charter school is no longer required to implement a corrective action if it improves to a “C” or higher. However, the charter school must continue to implement strategies identified in the school improvement plan. The sponsor must annually review implementation of the school improvement plan to monitor the school’s continued improvement pursuant to subparagraph 3.

e. A charter school implementing a corrective action that does not improve to a “C” or higher after 2 full school years of implementing the corrective action must select a different corrective action. Implementation of the new corrective action must begin in the school year following the implementation period of the existing corrective action, unless the sponsor determines that the charter school is likely to improve to a “C” or higher if additional time is provided to implement the existing corrective action. Notwithstanding this sub-subparagraph, a charter school that earns a second consecutive grade of “F” while implementing a corrective action is subject to subparagraph 3.

3. A charter school’s charter contract is automatically terminated if the school earns two consecutive grades of “F” after all school grade appeals are final unless:

a. The charter school is established to turn around the performance of a district public school pursuant to s. 1008.33(4)(b)2. Such charter schools shall be governed by s. 1008.33;

b. The charter school serves a student population the majority of which resides in a school zone served by a district public school subject to s. 1008.33(4) and the charter school earns at least a grade of “D” in its third year of operation. The exception provided under this sub-subparagraph does not apply to a charter school in its fourth year of operation and thereafter; or

c. The state board grants the charter school a waiver of termination. The charter school must request the waiver within 15 days after the department’s official release of school grades. The state board may waive termination if the charter school demonstrates that the Learning Gains of its students on statewide assessments are comparable to or better than the Learning Gains of similarly situated students enrolled in nearby district public schools. The waiver is valid for 1 year and may only be granted once. Charter schools that have been in operation for more than 5 years are not eligible for a waiver under this sub-subparagraph.

The sponsor shall notify the charter school’s governing board, the charter school principal, and the department in writing when a charter contract is terminated under this subparagraph. ~~The letter of termination must meet the requirements of paragraph (8)(c).~~ A charter terminated under this subparagraph must follow the procedures for dissolution and reversion of public funds pursuant to *paragraphs (8)(d)-(f) and (9)(o) paragraphs (8)(c), (g) and (9)(e).*

4. The director and a representative of the governing board of a graded charter school that has implemented a school improvement plan under this paragraph shall appear before the sponsor at least once a year to present information regarding the progress of intervention and support strategies implemented by the school pursuant to the school improvement plan and corrective actions, if applicable. The sponsor shall communicate at the meeting, and in writing to the director, the services provided to the school to help the school address its deficiencies.

5. Notwithstanding any provision of this paragraph except sub-subparagraphs 3.a.-c., the sponsor may terminate the charter at any time pursuant to subsection (8).

(20) SERVICES.—

(b) If goods and services are made available to the charter school through the contract with the school district, they shall be provided to the charter school at a rate no greater than the district’s actual cost unless mutually agreed upon by the charter school and the sponsor in a

contract negotiated separately from the charter. When mediation has failed to resolve disputes over contracted services or contractual matters not included in the charter, an appeal may be made to *an administrative law judge appointed by the Division of Administrative Hearings. The administrative law judge has final order authority to rule on the dispute. The administrative law judge shall award the prevailing party reasonable attorney fees and costs incurred during the mediation process, administrative proceeding, and any appeals, to be paid by the party whom the administrative law judge rules against for a dispute resolution hearing before the Charter School Appeal Commission.* To maximize the use of state funds, school districts shall allow charter schools to participate in the sponsor’s bulk purchasing program if applicable.

Section 9. Subsection (1), paragraph (a) of subsection (2), and paragraph (b) of subsection (3) of section 1002.331, Florida Statutes, are amended to read:

1002.331 High-performing charter schools.—

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

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

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

(c) Did not receive a financial audit that revealed one or more of the financial emergency conditions set forth in s. 218.503(1) in the most recent 3 fiscal years for which such audits are available. However, this requirement is deemed met for a charter school-in-the-workplace if there is a finding in an audit that the school has the monetary resources available to cover any reported deficiency or that the deficiency does not result in a deteriorating financial condition pursuant to s. 1002.345(1)(a)3.

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

(2) A high-performing charter school is authorized to:

(a) Increase its student enrollment once per school year to more than the capacity identified in the charter, but student enrollment may not exceed the ~~current facility~~ capacity of the facility at the time of enrollment. *Facility capacity for purposes of grade level expansion shall include any improvements to an existing facility or any new facility in which a majority of the students of the high-performing charter school will enroll.*

A high-performing charter school shall notify its sponsor in writing by March 1 if it intends to increase enrollment or expand grade levels the following school year. The written notice shall specify the amount of the enrollment increase and the grade levels that will be added, as applicable. If a charter school notifies the sponsor of its intent to expand, the sponsor shall modify the charter within 90 days to include the new enrollment maximum and may not make any other changes. The sponsor may deny a request to increase the enrollment of a high-performing charter school if the commissioner has declassified the charter school as high-performing. If a high-performing charter school requests to consolidate multiple charters, the sponsor shall have 40 days after receipt of that request to provide an initial draft charter to the charter school. The sponsor and charter school shall have 50 days thereafter to negotiate and notice the charter contract for final approval by the sponsor.

(3)

(b) A high-performing charter school may not establish more than ~~two one charter schools school~~ within the state under paragraph (a) in any year. A subsequent application to establish a charter school under paragraph (a) may not be submitted unless each charter school established in this manner achieves high-performing charter school status.

However, a high-performing charter school may establish more than one charter school within the state under paragraph (a) in any year if it operates in the area of a persistently low-performing school and serves students from that school.

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

1002.333 Persistently low-performing schools.—

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

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

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

(c) “School of hope” means:

1. A charter school operated by a hope operator which serves students from one or more persistently low-performing schools; is located in the attendance zone of a persistently low-performing school ~~or within a 5-mile radius of such school, whichever is greater~~; and is a Title I eligible school; or

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

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

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

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

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

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

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

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

6. Other outcome measures as determined by the State Board of Education;

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

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

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

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

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

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

1. An academic focus and plan.

2. A financial plan.

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

4. A completed or planned community outreach plan.

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

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

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

8. A staffing plan.

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

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

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

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

~~(h)(i)~~ A provision establishing the initial term as 5 years. The agreement *must shall* be renewed, upon the request of the hope operator, unless the school fails to meet the requirements for student performance established pursuant to paragraph (d) ~~(e)~~ or generally accepted standards of fiscal management or the school of hope materially violates the law or the terms of the agreement.

(7) FACILITIES.—

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

2. *A school of hope that meets the definition under subparagraph (1)(c)2. and that receives funds from the hope supplemental services allocation under s. 1011.62(16) shall use the district-owned facilities of the persistently low-performing school that the school of hope operates. A school of hope that uses district-owned facilities must enter into a mutual management plan with the school district for the reasonable*

maintenance of the facilities. The mutual management plan must contain a provision specifying that the district school board agrees to maintain the school facilities in the same manner as other public schools within the district.

The local governing authority shall not adopt or impose any local building requirements or site-development restrictions, such as parking and site-size criteria, student enrollment, and occupant load, that are addressed by and more stringent than those found in the State Requirements for Educational Facilities of the Florida Building Code. A local governing authority must treat schools of hope equitably in comparison to similar requirements, restrictions, and site planning processes imposed upon public schools. The agency having jurisdiction for inspection of a facility and issuance of a certificate of occupancy or use shall be the local municipality or, if in an unincorporated area, the county governing authority. If an official or employee of the local governing authority refuses to comply with this paragraph, the aggrieved school or entity has an immediate right to bring an action in circuit court to enforce its rights by injunction. An aggrieved party that receives injunctive relief may be awarded reasonable attorney fees and court costs.

(9) FUNDING.—

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

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

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

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

(e) Schools of hope that meet the definition under subparagraph (1)(c)2. are eligible to receive funds from the hope supplemental services allocation established under s. 1011.62(16).

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

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

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

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

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

~~4. Describe how the school district will identify, recruit, retain, and reward instructional personnel. The state board may waive the requirements of s. 1012.22(1)(c)5., and suspend the requirements of s. 1012.24, to facilitate implementation of the plan.~~

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

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

(d) Notwithstanding s. 216.301 and pursuant to s. 216.351, funds allocated for the purpose of this subsection which are not disbursed by June 30 of the fiscal year in which the funds are allocated may be carried forward for up to 5 years after the effective date of the original appropriation.

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

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

1002.334 Franchise model schools.—

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

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

(3) A franchise model school principal:

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

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

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

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

Section 12. Present paragraph (c) of subsection (9) of section 1002.37, Florida Statutes, is amended, and a new paragraph (c) is added to that subsection, to read:

1002.37 The Florida Virtual School.—

(9)

(c) Industry certification examinations, national assessments, and statewide assessments offered by the school district must be available to all Florida Virtual School students.

(d)(e) Unless an alternative testing site is mutually agreed to by the Florida Virtual School and the school district or as contracted under s. 1008.24, all industry certification examinations, national assessments, and statewide assessments must be taken at the school to which the student would be assigned according to district school board attendance areas. A school district must provide the student with access to the school's testing facilities and the date and time of the administration of each examination or assessment.

Section 13. Paragraph (d) of subsection (2), paragraphs (d) and (h) of subsection (5), subsection (8), and paragraph (a) of subsection (11) of section 1002.385, Florida Statutes, are amended to read:

1002.385 The Gardiner Scholarship.—

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

(d) "Disability" means, for a 3- or 4-year-old child or for a student in kindergarten to grade 12, autism spectrum disorder, as defined in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, published by the American Psychiatric Association; cerebral palsy, as defined in s. 393.063(6); Down syndrome, as defined in s. 393.063(15); an intellectual disability, as defined in s. 393.063(24); Phelan-McDer-

mid syndrome, as defined in s. 393.063(28); Prader-Willi syndrome, as defined in s. 393.063(29); spina bifida, as defined in s. 393.063(40); being a high-risk child, as defined in s. 393.063(23)(a); muscular dystrophy; Williams syndrome; a rare *disease, a disorder that affects diseases which affect* patient populations of fewer than 200,000 individuals or fewer in the United States, as defined by the *Orphan Drug Act of 1983, Pub. L. No. 97-414 National Organization for Rare Disorders*; anaphylaxis; deaf; visually impaired; traumatic brain injured; hospital or homebound; or identification as dual sensory impaired, as defined by rules of the State Board of Education and evidenced by reports from local school districts. The term “hospital or homebound” includes a student who has a medically diagnosed physical or psychiatric condition or illness, as defined by the state board in rule, and who is confined to the home or hospital for more than 6 months.

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

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

(h) Tuition and fees for part-time tutoring services provided by a person who holds a valid Florida educator’s certificate pursuant to s. 1012.56; a person who holds an adjunct teaching certificate pursuant to s. 1012.57; or a person who has demonstrated a mastery of subject area knowledge pursuant to s. 1012.56(5). As used in this paragraph, the term “part-time tutoring services” does not qualify as regular school attendance as defined in s. 1003.01(13) ~~s. 1003.01(13)(e)~~.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 14. Subsection (3), paragraph (f) of subsection (6), and subsection (8) of section 1002.39, Florida Statutes, are amended to read:

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

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

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

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

(c) While he or she is receiving an educational scholarship pursuant to this chapter;

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

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

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

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

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

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

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

(f)1. Conduct ~~random~~ site visits to private schools participating in the John M. McKay Scholarships for Students with Disabilities Program as authorized under s. 1002.421(7). The purposes ~~purpose~~ of the site visits are ~~is solely~~ to verify compliance with the provisions of subsection (7) aimed at protecting the health, safety, and welfare of students and to verify the information reported by the schools concerning the enrollment and attendance of students, the credentials of teachers, background screening of teachers, and teachers' fingerprinting results, which information is required by rules of the State Board of Education, subsection (8), and s. 1002.421. The Department of Education may ~~not~~ make ~~followup~~ more than three ~~random~~ site visits at any time to any school that has received a notice of noncompliance or a notice of proposed action within the previous 2 years pursuant to subsection (7) ~~each year and may not make more than one random site visit each year to the same private school.~~

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

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

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

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

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

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

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

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

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

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

Section 15. Subsection (4), paragraph (o) of subsection (6), subsection (8), and paragraph (n) of subsection (9) of section 1002.395, Florida Statutes, are amended to read:

1002.395 Florida Tax Credit Scholarship Program.—

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

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

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

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

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

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

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

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

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

(o)1.a. Must participate in the joint development of agreed-upon procedures to be performed by an independent certified public accountant as required under paragraph (8)(e) if the scholarship-funding organization provided more than \$250,000 in scholarship funds to an eligible private school under this ~~chapter section~~ during the ~~2009-2010~~ state fiscal year. The agreed-upon procedures must uniformly apply to all private schools and must determine, at a minimum, whether the private school has been verified as eligible by the Department of Education under paragraph (9)(c); has an adequate accounting system, system of financial controls, and process for deposit and classification of scholarship funds; and has properly expended scholarship funds for education-related expenses. During the development of the procedures, the participating scholarship-funding organizations shall specify guidelines governing the materiality of exceptions that may be found during the accountant's performance of the procedures. The procedures and guidelines shall be provided to private schools and the Commissioner of Education by March 15, 2011.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) Provide a report from an independent certified public accountant who performs the agreed-upon procedures developed under paragraph (6)(o) if the private school receives more than \$250,000 in funds from

scholarships awarded under this *chapter section* in a state fiscal year. A private school subject to this paragraph must annually submit the report by September 15 to the scholarship-funding organization that awarded the majority of the school's scholarship funds. The agreed-upon procedures must be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants.

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

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

(n)1. Conduct site visits to private schools participating in the Florida Tax Credit Scholarship Program *as authorized under s. 1002.421(7)*. The ~~purposes~~ *purpose* of the site visits ~~are solely~~ to verify compliance with the provisions of subsection (11) aimed at protecting the health, safety, and welfare of students and to verify the information reported by the schools concerning the enrollment and attendance of students, the credentials of teachers, background screening of teachers, and teachers' fingerprinting results. ~~The Department of Education may not make more than seven site visits each year; however,~~ The department may make *followup additional* site visits at any time to any school that, pursuant to subsection (11), has received a notice of noncompliance or a notice of proposed action within the previous 2 years.

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

Section 16. Section 1002.40, Florida Statutes, is created to read:

1002.40 *The Hope Scholarship Program.*—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) **SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.**—

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

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

3. During the investigation period, the principal and the superintendent shall take all necessary actions to continue the educational

services of students involved in the reported incident while taking every reasonable precaution to keep the alleged offender separated from the victim or any sibling of the victim while on school grounds or on school transportation, pursuant to ss. 1006.09, 1006.13, and 1006.147, as appropriate.

4. Upon the principal's determination that an alleged incident is unsubstantiated or the resolution of issues related to a substantiated incident or within 15 days after the incident was reported, whichever occurs first, the principal must report to the victim's parent and the alleged offender's parent the findings, outcome, or status of the investigation. The principal shall continue to provide such reports to the parents at least every 15 days until the investigation concludes and issues associated with the incident are resolved.

5. If the principal's investigation into the incident remains open more than 30 days after the date a substantiated incident was reported or issues associated with the incident remain unresolved, the school district, in accordance with the school district's code of student conduct, shall:

a. Notify the victim's parent of the availability of the program and offer that parent an opportunity to enroll his or her student in another private school or to request and receive a scholarship to attend an eligible private school, subject to available funding; and

b. Provide the victim's parent with a written notification of the result of the principal's investigation of the alleged incident. The parent must provide such notification to the scholarship-funding organization that verifies the student's eligibility.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) Maintain a list of nationally norm-referenced tests identified for purposes of satisfying the testing requirement in paragraph (9)(f). The tests must meet industry standards of quality in accordance with State Board of Education rule.

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

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

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

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

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

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

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

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

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

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

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

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

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

2. Annually, by December 15, report to the Governor, the President of the Senate, and the Speaker of the House of Representatives the department's actions with respect to implementing accountability in the program under this section and s. 1002.421, any substantiated allegations or violations of law or rule by an eligible private school under this program, and the corrective action taken by the department.

(8) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—

(a) The Commissioner of Education:

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

action to suspend or revoke the private school's participation in the program.

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

a. In making such a determination, the commissioner may consider factors that include, but are not limited to, acts or omissions by an owner or operator which led to a previous denial or revocation of participation in an education scholarship program; an owner's or operator's failure to reimburse the department for scholarship funds improperly received or retained by a school; imposition of a prior criminal sanction related to an owner's or operator's management or operation of an educational institution; imposition of a civil fine or administrative fine, license revocation or suspension, or program eligibility suspension, termination, or revocation related to an owner's or operator's management or operation of an educational institution; or other types of criminal proceedings in which an owner or operator was found guilty of, regardless of adjudication, or entered a plea of *nolo contendere* or guilty to, any offense involving fraud, deceit, dishonesty, or moral turpitude.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) Any student participating in the program must comply with the regular attendance requirements of s. 1003.01(13) and remain in attendance throughout the school year unless excused by the school for illness or other good cause.

(d) Each parent and each student has an obligation to the private school to comply with the private school's published policies.

(e) Upon reasonable notice to the department and the school district, the parent may remove the student from the private school and place the student in a public school in accordance with this section.

(f) The parent must ensure that the student participating in the program takes the norm-referenced assessment offered by the private school. The parent may also choose to have the student participate in the statewide assessments pursuant to s. 1008.22. If the parent requests that the student participating in the program take the statewide assessments pursuant to s. 1008.22 and the private school has not chosen to offer and administer the statewide assessments, the parent is responsible for transporting the student to the assessment site designated by the school district.

(g) Upon receipt of a scholarship warrant, the parent to whom the warrant is made must restrictively endorse the warrant to the private school for deposit into the account of the private school. The parent may not designate any entity or individual associated with the participating private school as the parent's attorney in fact to endorse a scholarship warrant. A parent who fails to comply with this paragraph forfeits the scholarship.

(10) OBLIGATIONS OF NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS.—An organization may establish scholarships for eligible students by:

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

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

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

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

(11) FUNDING AND PAYMENT.—

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

1. Eighty-eight percent for a student enrolled in kindergarten through grade 5.
2. Ninety-two percent for a student enrolled in grade 6 through grade 8.
3. Ninety-six percent for a student enrolled in grade 9 through grade 12.

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

(c) When a student enters the program, the organization must receive all documentation required for the student's participation, including a copy of the report of the substantiated incident received pursuant to subsection (5) and the private school's and the student's fee schedules. The initial payment shall be made after verification of admission acceptance, and subsequent payments shall be made upon verification of continued enrollment and attendance at the private school.

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

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

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

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

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

(12) OBLIGATIONS OF THE AUDITOR GENERAL.—

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

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

(13) SCHOLARSHIP FUNDING TAX CREDITS.—

(a) A tax credit is available under s. 212.1832 for use by a taxpayer that makes an eligible contribution to the program. Each eligible con-

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

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

1. Provide the purchaser the contribution election form, as prescribed by the Department of Revenue, at the time of purchase of a motor vehicle or at the time of registration of a motor vehicle that was not purchased from a dealer.
2. Collect eligible contributions.
3. Using a form provided by the Department of Revenue, which shall include the dealer's or agent's federal employer identification number, remit to an organization on or before the 20th day of each month the total amount of contributions made to that organization and collected during the preceding calendar month.
4. Report on each return filed with the Department of Revenue the total amount of credits allowed under s. 212.1832 during the preceding calendar month.

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

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

1. If the total amount stolen is less than \$300, the offense is a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. Upon a second conviction, the offender is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. Upon a third or subsequent conviction, the offender is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
2. If the total amount stolen is \$300 or more, but less than \$20,000, the offense is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
3. If the total amount stolen is \$20,000 or more, but less than \$100,000, the offense is a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
4. If the total amount stolen is \$100,000 or more, the offense is a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

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

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

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

Section 17. Section 1002.411, Florida Statutes, is created to read:

1002.411 *Reading scholarship accounts.*—

(1) *READING SCHOLARSHIP ACCOUNTS.*—Reading scholarship accounts are established to provide educational options for students.

(2) *ELIGIBILITY.*—Contingent upon available funds, and on a first-come, first-served basis, each student in grades 3 through 5 who is enrolled in a Florida public school is eligible for a reading scholarship account if the student scored below a Level 3 on the grade 3 or grade 4 statewide, standardized English Language Arts (ELA) assessment in the prior school year.

(3) *PARENT AND STUDENT RESPONSIBILITIES FOR PARTICIPATION.*—

(a) For an eligible student to receive a reading scholarship account, the student's parent must:

1. Submit an application to an eligible nonprofit scholarship-funding organization by the deadline established by such organization; and

2. Submit eligible expenses to the eligible nonprofit scholarship-funding organization for reimbursement of qualifying expenditures, which may include:

a. *Instructional materials.*

b. *Curriculum.* As used in this sub-subparagraph, the term “curriculum” means a complete course of study for a particular content area or grade level, including any required supplemental materials and associated online instruction.

c. *Tuition and fees for part-time tutoring services provided by a person who holds a baccalaureate or graduate degree in the subject area; a person who holds an adjunct teaching certificate pursuant to s. 1012.57; or a person who has demonstrated a mastery of subject area knowledge pursuant to s. 1012.56(5).*

d. *Fees for summer education programs.*

e. *Fees for after-school education programs.*

f. *Specialized services by approved providers or by a hospital in this state which are selected by the parent. These specialized services may include, but are not limited to:*

(I) *Applied behavior analysis services as provided in ss. 627.6686 and 641.31098.*

(II) *Services provided by speech-language pathologists as defined in s. 468.1125.*

(III) *Occupational therapy services as defined in s. 468.203.*

(IV) *Services provided by physical therapists as defined in s. 486.021.*

(V) *Services provided by listening and spoken language specialists and an appropriate acoustical environment for a child who is deaf or hard of hearing and who has received an implant or assistive hearing device.*

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

(b) The parent is responsible for the payment of all eligible expenses in excess of the amount in the account in accordance with the terms agreed to between the parent and any providers and may not receive any refund or rebate of any expenditures made in accordance with paragraph (a).

(4) *ADMINISTRATION.*—An eligible nonprofit scholarship-funding organization participating in the Florida Tax Credit Scholarship Program established by s. 1002.395 may establish reading scholarship accounts for eligible students in accordance with the requirements of eligible nonprofit scholarship-funding organizations under this chapter.

(5) *DEPARTMENT OBLIGATIONS.*—The department shall have the same duties imposed by this chapter upon the department regarding oversight of scholarship programs administered by an eligible nonprofit scholarship-funding organization.

(6) *SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.*—By September 30, the school district shall notify the parent of each student in grades 3 through 5 who scored below a level 3 on the statewide, standardized ELA assessment in the prior school year of the process to request and receive a reading scholarship, subject to available funds.

(7) *ACCOUNT FUNDING AND PAYMENT.*—

(a) The maximum amount granted for an eligible student shall be provided in the General Appropriations Act.

(b) One hundred percent of the funds appropriated for the reading scholarship accounts shall be released to the department at the beginning of the first quarter of each fiscal year.

(c) Upon notification from the eligible nonprofit scholarship-funding organization that a student has been determined eligible for a reading scholarship, the department shall release the student's scholarship funds to such organization to be deposited into the student's account.

(d) Accrued interest in the student's account is in addition to, and not part of, the awarded funds. Account funds include both the awarded funds and accrued interest.

(e) The eligible nonprofit scholarship-funding organization may develop a system for payment of scholarship funds by funds transfer, including, but not limited to, debit cards, electronic payment cards, or any other means of payment that the department deems to be commercially viable or cost-effective. A student's scholarship award may not be reduced for debit card or electronic payment fees. Commodities or services related to the development of such a system shall be procured by competitive solicitation unless they are purchased from a state term contract pursuant to s. 287.056.

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

(g) In addition to funds appropriated for scholarships and subject to a separate, specific legislative appropriation, an organization may receive an amount equivalent to not more than 3 percent of the amount of each scholarship from state funds for administrative expenses if the organization has operated as a nonprofit entity for at least the preceding 3 fiscal years and did not have any findings of material weakness or material noncompliance in its most recent audit under s. 1002.395. Such administrative expenses must be reasonable and necessary for the organization's management and distribution of scholarships under this section. Funds authorized under this paragraph may not be used for lobbying or political activity or expenses related to lobbying or political activity. An organization may not charge an application fee for a scholarship. Administrative expenses may not be deducted from funds appropriated for scholarships.

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

(i) A student's scholarship account must be closed and any remaining funds shall revert to the state after:

1. Denial or revocation of scholarship eligibility by the commissioner for fraud or abuse, including, but not limited to, the student or student's parent accepting any payment, refund, or rebate, in any manner, from a provider of any services received pursuant to subsection (3); or

2. Three consecutive fiscal years in which an account has been inactive.

(8) *LIABILITY.*—No liability shall arise on the part of the state based on the award or use of a reading scholarship account.

Section 18. Present subsection (7) of section 1002.421, Florida Statutes, is amended and redesignated as subsection (11), a new subsection (7) and subsections (8), (9), and (10) are added to that section, and subsection (1), paragraphs (h) and (i) of subsection (2), and subsections (4) and (5) of that section are amended, to read:

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

(1)(a) A Florida private school participating in the Florida Tax Credit Scholarship Program established pursuant to s. 1002.395 or an educational scholarship program established pursuant to this chapter must comply with all requirements of this section in addition to private school requirements outlined in s. 1002.42, specific requirements identified within respective scholarship program laws, and other provisions of Florida law that apply to private schools.

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

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

(h) Employ or contract with teachers who:

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

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

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

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

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

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

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

4. An employee or contracted personnel holding a valid Florida teaching certificate who has been fingerprinted pursuant to s. 1012.32

and who is not ineligible for employment pursuant to s. 1012.315 is not required to comply with the provisions of this paragraph.

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

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

(b) Adopt and faithfully implement policies establishing standards of ethical conduct for instructional personnel and school administrators. The policies must require all instructional personnel and school administrators, as defined in s. 1012.01, to complete training on the standards; establish the duty of instructional personnel and school administrators to report, and procedures for reporting, alleged misconduct by other instructional personnel and school administrators which affects the health, safety, or welfare of a student; and include an explanation of the liability protections provided under ss. 39.203 and 768.095. A private school, or any of its employees, may not enter into a confidentiality agreement regarding terminated or dismissed instructional personnel or school administrators, or personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide the instructional personnel or school administrators with employment references or discuss the personnel’s or administrators’ performance with prospective employers in another educational setting, without disclosing the personnel’s or administrators’ misconduct. Any part of an agreement or contract that has the purpose or effect of concealing misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student is void, is contrary to public policy, and may not be enforced.

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

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

(5) The failure or refusal ~~inability~~ of a private school to meet the requirements of this section shall constitute a basis for the ineligibility of the private school to participate in a scholarship program as determined by the department. *Additionally, a private school is ineligible to participate in a state scholarship program under this chapter if the owner or operator of the private school was a debtor in a voluntary or involuntary bankruptcy petition within the most recent 5 years.*

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

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

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

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

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

(9) *The Division of State Fire Marshal shall annually provide to the department a fire safety inspection report, prepared by the local fire departments or by entities with whom they contract to perform fire safety inspections of private schools, for each private school that participates in a state scholarship program under this chapter.*

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

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

Section 19. *Section 1002.43, Florida Statutes, is repealed.*

Section 20. Paragraph (a) of subsection (2) and paragraph (d) of subsection (8) of section 1002.45, Florida Statutes, are amended to read:

1002.45 Virtual instruction programs.—

(2) PROVIDER QUALIFICATIONS.—

(a) The department shall annually publish online a list of providers approved to offer virtual instruction programs. To be approved by the department, a provider must document that it:

1. Is nonsectarian in its programs, admission policies, employment practices, and operations;

2. Complies with the antidiscrimination provisions of s. 1000.05;

3. Locates an administrative office or offices in this state, requires its administrative staff to be state residents, requires all instructional staff to be Florida-certified teachers under chapter 1012 and conducts background screenings for all employees or contracted personnel, as required by s. 1012.32, using state and national criminal history records;

4. Provides to parents and students specific information posted and accessible online that includes, but is not limited to, the following teacher-parent and teacher-student contact information for each course:

a. How to contact the instructor via phone, e-mail, or online messaging tools.

b. How to contact technical support via phone, e-mail, or online messaging tools.

c. How to contact the administration office via phone, e-mail, or online messaging tools.

d. Any requirement for regular contact with the instructor for the course and clear expectations for meeting the requirement.

e. The requirement that the instructor in each course must, at a minimum, conduct one contact via phone with the parent and the student each month;

5. Possesses prior, successful experience offering online courses to elementary, middle, or high school students as demonstrated by quantified student learning gains in each subject area and grade level provided for consideration as an instructional program option. However, for a provider without sufficient prior, successful experience offering online courses, the department may conditionally approve the provider to offer courses measured pursuant to subparagraph (8)(a)2. Conditional approval shall be valid for 1 school year only and, based on the provider's experience in offering the courses, the department shall determine whether to grant approval to offer a virtual instruction program;

6. Is accredited by a regional accrediting association as defined by State Board of Education rule;

7. Ensures instructional and curricular quality through a detailed curriculum and student performance accountability plan that addresses every subject and grade level it intends to provide through contract with the school district, including:

a. Courses and programs that meet the standards of the International Association for K-12 Online Learning and the Southern Regional Education Board.

b. Instructional content and services that align with, and measure student attainment of, student proficiency in the Next Generation Sunshine State Standards.

c. Mechanisms that determine and ensure that a student has satisfied requirements for grade level promotion and high school graduation with a standard diploma, as appropriate;

8. Publishes for the general public, in accordance with disclosure requirements adopted in rule by the State Board of Education, as part of its application as a provider and in all contracts negotiated pursuant to this section:

a. Information and data about the curriculum of each full-time and part-time program.

b. School policies and procedures.

c. Certification status and physical location of all administrative and instructional personnel.

d. Hours and times of availability of instructional personnel.

e. Student-teacher ratios.

f. Student completion and promotion rates.

g. Student, educator, and school performance accountability outcomes;

9. If the provider is a Florida College System institution, employs instructors who meet the certification requirements for instructional staff under chapter 1012; and

10. Performs an annual financial audit of its accounts and records conducted by an independent certified public accountant which is in accordance with rules adopted by the Auditor General, is conducted in compliance with generally accepted auditing standards, and includes a report on financial statements presented in accordance with generally accepted accounting principles.

(8) ASSESSMENT AND ACCOUNTABILITY.—

(d) An approved provider's contract ~~is automatically must be~~ terminated if the provider ~~earns two consecutive receives a~~ school grades ~~grade of "D" or "F" under s. 1008.34 after all school grade appeals are final or receives two consecutive a~~ school improvement ratings ~~rating of "Unsatisfactory" under s. 1008.341 for 2 years during any consecutive 4-year period~~ or has violated any qualification requirement pursuant to subsection (2); *however, the State Board of Education may grant the provider a waiver of termination.* A provider that has a contract terminated under this paragraph may not be an approved provider for a period of at least 1 year after the date upon which the contract was terminated and until the department determines that the provider is in compliance with subsection (2) and has corrected each cause of the provider's low performance.

Section 21. Subsection (5) of section 1002.55, Florida Statutes, is amended to read:

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

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

(b) *Notwithstanding any other provision of law, if a private pre-kindergarten provider has been cited for a class I violation, as defined by rule, the coalition may refuse to contract with the provider.*

Section 22. Subsection (13) of section 1003.01, Florida Statutes, is amended to read:

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

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

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

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

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

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

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

Section 23. Paragraph (f) of subsection (1) of section 1003.26, Florida Statutes, is amended to read:

1003.26 Enforcement of school attendance.—The Legislature finds that poor academic performance is associated with nonattendance and that school districts must take an active role in promoting and enforcing attendance as a means of improving student performance. It is the policy of the state that each district school superintendent be responsible for enforcing school attendance of all students subject to the compulsory school age in the school district and supporting enforcement of school attendance by local law enforcement agencies. The responsibility includes recommending policies and procedures to the district school board that require public schools to respond in a timely manner to every unexcused absence, and every absence for which the reason is unknown, of students enrolled in the schools. District school board policies shall require the parent of a student to justify each absence of the student, and that justification will be evaluated based on adopted district school board policies that define excused and unexcused absences. The policies must provide that public schools track excused and unexcused absences and contact the home in the case of an unexcused absence from school, or an absence from school for which the reason is unknown, to prevent the development of patterns of nonattendance. The Legislature finds that early intervention in school attendance is the most effective way of producing good attendance habits that will lead to improved student learning and achievement. Each public school shall implement the following steps to promote and enforce regular school attendance:

(1) CONTACT, REFER, AND ENFORCE.—

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

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

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

Section 24. Paragraph (d) of subsection (2) of section 1003.41, Florida Statutes, is amended and paragraph (f) is added to that subsection, to read:

1003.41 Next Generation Sunshine State Standards.—

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

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

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

Section 25. Paragraphs (d) and (g) of subsection (3) of section 1003.4282, Florida Statutes, are amended, and paragraph (h) is added to that subsection, to read:

1003.4282 Requirements for a standard high school diploma.—

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

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

(g) ~~Eight Credits in Electives.~~—School districts must develop and offer coordinated electives so that a student may develop knowledge and skills in his or her area of interest, such as electives with a STEM or liberal arts focus. Such electives must include opportunities for students to earn college credit, including industry-certified career education programs or series of career-themed courses that result in industry

certification or articulate into the award of college credit, or career education courses for which there is a statewide or local articulation agreement and which lead to college credit. A student entering grade 9 before the 2018-2019 school year must earn eight credits in electives. A student entering grade 9 in the 2018-2019 school year or thereafter must earn seven and one-half credits in electives.

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

1. Types of bank accounts offered, opening and managing a bank account, and assessing the quality of a depository institution's services.
2. Balancing a checkbook.
3. Basic principles of money management, such as spending, credit, credit scores, and managing debt, including retail and credit card debt.
4. Completing a loan application.
5. Receiving an inheritance and related implications.
6. Basic principles of personal insurance policies.
7. Computing federal income taxes.
8. Local tax assessments.
9. Computing interest rates by various mechanisms.
10. Simple contracts.
11. Contesting an incorrect billing statement.
12. Types of savings and investments.
13. State and federal laws concerning finance.

Section 26. Subsection (4) is added to section 1003.44, Florida Statutes, to read:

1003.44 Patriotic programs; rules.—

(4) *Each district school board shall adopt rules to require, in all of the schools of the district and in each building used by the district school board, the display of the state motto, "In God We Trust," designated under s. 15.0301, in a conspicuous place.*

Section 27. Subsection (3) of section 1003.453, Florida Statutes, is amended to read:

1003.453 School wellness and physical education policies; nutrition guidelines.—

(3) School districts are encouraged to provide basic training in first aid, ~~including cardiopulmonary resuscitation~~, for all students, beginning in grade 6 and every 2 years thereafter. Private and public partnerships for providing training or necessary funding are encouraged.

Section 28. Section 1003.457, Florida Statutes, is created to read:

1003.457 *Instruction in cardiopulmonary resuscitation.*—

(1) *Each school district shall provide instruction in cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator. Students shall study and practice the psychomotor skills associated with performing CPR at least once before graduating from high school. The instruction shall be a part of the physical education curriculum or another required curriculum selected by the school district.*

(2) *The instruction shall be based on an instructional program established by:*

- (a) *The American Heart Association;*
- (b) *The American Red Cross; or*

(c) *Another nationally recognized program that uses the most current evidence-based emergency cardiovascular care guidelines.*

(3) *A student with a disability, as defined in s. 1007.02, is exempt from the requirements of this section.*

Section 29. Section 1006.05, Florida Status, is created to read:

1006.05 *Mental health assistance allocation specifications.*—Pursuant to s. 1011.62(17), the mental health assistance allocation is created to provide supplemental funding to assist school districts and charter schools in establishing or expanding comprehensive mental health programs that increase awareness of mental health issues among children and school-age youth; to train educators and other school staff in detecting and responding to mental health issues; and to connect children, youth, and families who may experience behavioral or mental health issues with appropriate services.

(1) *Funding provided pursuant to s. 1011.62(17) shall be allocated in accordance with the following:*

(a) *Before the distribution of the allocation:*

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

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

(b) *The plans required under paragraph (a) must include, at a minimum, the elements in subparagraphs 1., 2., and 3., and the districts and charter schools are strongly encouraged to include in their respective plans the elements specified in subparagraphs 4., 5., and 6., as follows:*

1. *A contract or a memorandum of understanding with at least one local nationally accredited community behavioral health provider or a provider of Community Action Team services to provide a behavioral health staff presence and services at district schools. Services may include, but are not limited to, mental health screenings and assessments, individual counseling, family counseling, group counseling, psychiatric or psychological services, trauma-informed care, mobile crisis services, and behavior modification. These behavioral health services may be provided on or off the school campus and may be supplemented by telehealth;*

2. *Training opportunities in Mental Health First Aid or other similar nationally recognized evidence-based training programs for all school personnel who have contact with students. The training must cover risk factors and warning signs for mental health and addiction concerns, strategies for providing assistance to individuals in both crisis and non-crisis situations, and the use of referral mechanisms that effectively link individuals to appropriate treatment and intervention services in the school and in the community. Topics covered should include depression and mood disorders, anxiety disorders, trauma, psychosis, substance use disorders, and suicide prevention;*

3. *A mental health crisis intervention strategy that provides for prompt resolution of identified, immediate threats within district schools, including Baker Act referrals and notification of law enforcement personnel, as appropriate;*

4. *Programs to assist students in dealing with anxiety, depression, bullying, trauma, and violence;*

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

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

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

(2) Beginning September 30, 2019, and by each September 30 thereafter, each entity that receives an allocation under this section shall submit to the commissioner, in a format prescribed by the department, a final report on its program outcomes and its expenditures for each element of the program. At a minimum, the report must include the number of each of the following:

- (a) Students who receive screenings or assessments.
- (b) Students who are referred for services or assistance.
- (c) Students who receive services or assistance.
- (d) Parents or guardians notified.
- (e) School personnel who are trained to engage in the services, techniques, strategies, or programs identified in the plan required under this subsection.

Section 30. Section 1006.061, Florida Statutes, is amended to read:

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

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

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

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

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

- 1. The statewide toll-free telephone number of the central abuse hotline as provided in chapter 39;
- 2. Instructions to call 911 for emergencies; and
- 3. Directions for accessing the Department of Children and Families Internet website for more information on reporting abuse, neglect, and exploitation.

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

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

Section 31. Subsections (4) and (6) of section 1006.07, Florida Statutes, are amended, and subsection (7) is added to that section, to read:

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

(4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

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

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

- 1. Weapon-use, ~~and~~ *hostage, and active shooter situations. The active shooter situation training for each school must be conducted by the law enforcement agency or agencies that are designated as first responders to the school’s campus.*
- 2. Hazardous materials or toxic chemical spills.
- 3. Weather emergencies, including hurricanes, tornadoes, and severe storms.
- 4. Exposure as a result of a manmade emergency.

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

(a) Conduct *security risk assessments at each public school and conduct a self-assessment of the school districts’ current safety and security practices using a format prescribed by the department.* Based on these ~~self-assessment~~ findings, the district school superintendent shall provide recommendations to the district school board which identify strategies and activities that the district school board should implement in order to improve school safety and security. Annually each district school board must receive *such findings and the superintendent’s recommendations* ~~the self-assessment results~~ at a publicly noticed district school board meeting to provide the public an opportunity to hear the district school board members discuss and take action on the ~~report~~ findings and recommendations. Each district school superintendent shall report *such findings* ~~the self-assessment results~~ and school board action to the commissioner within 30 days after the district school board meeting.

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

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

Section 32. Subsection (1) and paragraph (b) of subsection (2) section 1006.12, Florida Statutes, are amended to read:

1006.12 School resource officers and school safety officers.—

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

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

(b) School resource officers shall abide by district school board policies and shall consult with and coordinate activities through the school principal, but shall be responsible to the law enforcement agency in all matters relating to employment, subject to agreements between a district school board and a law enforcement agency. Activities conducted by the school resource officer which are part of the regular instructional program of the school shall be under the direction of the school principal.

(2)

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

Section 33. Subsection (13) and paragraph (b) of subsection (24) of section 1007.271, Florida Statutes, are amended to read:

1007.271 Dual enrollment programs.—

(13)(a) The dual enrollment program for a home education student, including, but not limited to, students with disabilities, consists of the enrollment of an eligible home education secondary student in a postsecondary course creditable toward an associate degree, a career certificate, or a baccalaureate degree. To participate in the dual enrollment program, an eligible home education secondary student must:

1. Provide proof of enrollment in a home education program pursuant to s. 1002.41.
2. Be responsible for his or her own ~~instructional materials and~~ transportation unless provided for in the articulation agreement.
3. Sign a home education articulation agreement pursuant to paragraph (b).

(b) Each postsecondary institution eligible to participate in the dual enrollment program pursuant to s. 1011.62(1)(i) must enter into a home education articulation agreement with each home education student seeking enrollment in a dual enrollment course and the student's parent. By August 1 of each year, the eligible postsecondary institution shall complete and submit the home education articulation agreement to the Department of Education. The home education articulation agreement must include, at a minimum:

1. A delineation of courses and programs available to dually enrolled home education students. Courses and programs may be added, revised, or deleted at any time by the postsecondary institution.
2. The initial and continued eligibility requirements for home education student participation, not to exceed those required of other dually enrolled students.
3. The student's responsibilities for providing his or her own ~~instructional materials and~~ transportation.
4. A copy of the statement on transfer guarantees developed by the Department of Education under subsection (15).

(24)

(b) Each *public* postsecondary institution eligible to participate in the dual enrollment program pursuant to s. 1011.62(1)(i) must enter into a private school articulation agreement with each eligible private school in its geographic service area seeking to offer dual enrollment courses to its students, including, but not limited to, students with disabilities. By August 1 of each year, the eligible postsecondary institution shall complete and submit the private school articulation agreement to the Department of Education. The private school articulation agreement must include, at a minimum:

1. A delineation of courses and programs available to the private school student. The postsecondary institution may add, revise, or delete courses and programs at any time.

2. The initial and continued eligibility requirements for private school student participation, not to exceed those required of other dual enrollment students.

3. The student's responsibilities for providing his or her own instructional materials and transportation.

4. A provision clarifying that the private school will award appropriate credit toward high school completion for the postsecondary course under the dual enrollment program.

5. A provision expressing that costs associated with tuition and fees, including registration, and laboratory fees, will not be passed along to the student or the private school that the student attends.

~~6. A provision stating whether the private school will compensate the postsecondary institution for the standard tuition rate per credit hour for each dual enrollment course taken by its students.~~

Section 34. Section 1007.273, Florida Statutes, is amended to read:

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

~~(4)~~ Each Florida College System institution shall work with each district school board in its designated service area to establish one or more *structured programs, including, but not limited to, collegiate high school programs. As used in this section, the term "structured program" means a structured high school acceleration program.*

~~(1)(2)~~ *PURPOSE.*—At a minimum, ~~structured collegiate high school~~ programs must include an option for public school students in grade 11 or grade 12 participating in the *structured* program, for at least 1 full school year, to earn CAPE industry certifications pursuant to s. 1008.44, and to successfully complete at least 30 credit hours through the dual enrollment program under s. 1007.271. *The structured program must prioritize dual enrollment courses that are applicable toward general education core courses or common prerequisite course requirements under s. 1007.25 over dual enrollment courses applicable as electives toward at least the first year of college for an associate degree or baccalaureate degree while enrolled in the structured program. A district school board may not limit the number of eligible public school students who may enroll in such structured programs.*

~~(2)(3)~~ *REQUIRED STRUCTURED PROGRAM CONTRACTS.*—

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

(b) The contract must:

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

~~2.(b)~~ Describe the *structured collegiate high school* program, including a list of the meta-major academic pathways approved pursuant to s. 1008.30(4), which are available to participating students through the partner Florida College System institution or other eligible partner postsecondary institutions; the delineation of courses that must, at a minimum, include general education core courses and common prerequisite course requirements pursuant to s. 1007.25; ~~and~~ industry certifications offered, including online course availability; the high school and college credits earned for each postsecondary course completed and

industry certification earned; student eligibility criteria; and the enrollment process and relevant deadlines;-

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

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

5.~~(e)~~ Identify student advising services and progress monitoring mechanisms;-

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

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

(3) *STUDENT PERFORMANCE CONTRACT AND NOTIFICATION.*—

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

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

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

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

~~(4)(5)~~ *AUTHORIZED STRUCTURED PROGRAM CONTRACTS.*—

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

(5) *FUNDING.*—

(a)~~(6)~~ The structured ~~collegiate high school~~ program shall be funded pursuant to ss. 1007.271 and 1011.62. The State Board of Education shall enforce compliance with this section by withholding the transfer of funds for the school districts ~~and the Florida College System institutions~~ in accordance with s. 1008.32. ~~Annually, by December 31, the State~~

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

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

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

(6) *REPORTING REQUIREMENTS.*—

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

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

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

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

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

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

Section 35. Paragraph (c) of subsection (3) and subsection (4) of section 1008.33, Florida Statutes, are amended to read:

1008.33 Authority to enforce public school improvement.—

(3)

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

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

- a. Improvement planning;
- b. Leadership quality improvement;
- c. Educator quality improvement;

- d. Professional development;
- e. Curriculum review, pacing, and alignment across grade levels to improve background knowledge in social studies, science, and the arts; and
- f. The use of continuous improvement and monitoring plans and processes.

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

(4)(a) The state board shall apply intensive intervention and support strategies tailored to the needs of schools earning two consecutive grades of “D” or a grade of “F.” In the first full school year after a school initially earns two consecutive grades of “D” or a grade of “F,” the school district must immediately implement intervention and support strategies prescribed in rule under paragraph (3)(c) and, by September 1, provide the department with the memorandum of understanding negotiated pursuant to s. 1001.42(21) and, by October 1, a district-managed turnaround plan for approval by the state board. *The district-managed turnaround plan may include a proposal for the district to implement an extended school day, a summer program, or a combination of an extended school day and summer program.* Upon approval by the state board, the school district must implement the plan for the remainder of the school year and continue the plan for 1 full school year. The state board may allow a school an additional year of implementation before the school must implement a turnaround option required under paragraph (b) if it determines that the school is likely to improve to a grade of “C” or higher after the first full school year of implementation.

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

1. Reassign students to another school and monitor the progress of each reassigned student.;
2. Close the school and reopen the school as one or more charter schools, each with a governing board that has a demonstrated record of effectiveness. *Such charter schools are eligible for funding from the hope supplemental services allocation established by s. 1011.62(16).; or*
3. Contract with an outside entity that has a demonstrated record of effectiveness to operate the school. An outside entity may include:
 - a. A district-managed charter school in which all instructional personnel are not employees of the school district, but are employees of an independent governing board composed of members who did not participate in the review or approval of the charter. *A district-managed charter school is eligible for funding from the hope supplemental services allocation established by s. 1011.62(16); or*
 - b. *A hope operator that submits to a school district a notice of intent of a performance-based agreement pursuant to s. 1002.333. A school of hope established pursuant to this sub-subparagraph is eligible for funding from the hope supplemental services allocation for up to 5 years, beginning in the school year in which the school of hope is established, if the school of hope:*
 - (I) *Is established at the district-owned facilities of the persistently low-performing school;*
 - (II) *Gives priority enrollment to students who are enrolled in, or are eligible to attend and are living in the attendance area of, the persistently low-performing school that the school of hope operates, consistent with the enrollment lottery exemption provided under s. 1002.333(5)(c); and*
 - (III) *Meets the requirements of its performance-based agreement pursuant to s. 1002.333.*

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

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

(d) If a school ~~earning two consecutive grades of “D” or a grade of “F”~~ does not improve to a grade of “C” or higher after 2 full school years of implementing the turnaround option selected by the school district under paragraph (b), the school district must implement another turnaround option. Implementation of the turnaround option must begin the school year following the implementation period of the existing turnaround option, unless the state board determines that the school is likely to improve to a grade of “C” or higher if additional time is provided to implement the existing turnaround option.

Section 36. Present subsections (16) and (17) of section 1011.62, Florida Statutes, are redesignated as subsections (19) and (20), respectively, new subsections (16) and (17) and subsection (18) are added to that section, and paragraphs (o) and (t) of subsection (1), paragraph (a) of subsection (4), and subsection (14) of that section are amended, to read:

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

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(o) *Calculation of additional full-time equivalent membership based on successful completion of a career-themed course pursuant to ss. 1003.491, 1003.492, and 1003.493, or courses with embedded CAPE industry certifications or CAPE Digital Tool certificates, and issuance of industry certification identified on the CAPE Industry Certification Funding List pursuant to rules adopted by the State Board of Education or CAPE Digital Tool certificates pursuant to s. 1003.4203.—*

1.a. A value of 0.025 full-time equivalent student membership shall be calculated for CAPE Digital Tool certificates earned by students in elementary and middle school grades.

b. A value of 0.1 or 0.2 full-time equivalent student membership shall be calculated for each student who completes a course as defined in s. 1003.493(1)(b) or courses with embedded CAPE industry certifications and who is issued an industry certification identified annually on the CAPE Industry Certification Funding List approved under rules adopted by the State Board of Education. A value of 0.2 full-time equivalent membership shall be calculated for each student who is issued a CAPE industry certification that has a statewide articulation agreement for college credit approved by the State Board of Education. For CAPE industry certifications that do not articulate for college credit, the Department of Education shall assign a full-time equivalent value of 0.1 for each certification. Middle grades students who earn additional FTE membership for a CAPE Digital Tool certificate pursuant to sub-subparagraph a. may not use the previously funded examination to satisfy the requirements for earning an industry certification under this sub-subparagraph. Additional FTE membership for an elementary or middle grades student may not exceed 0.1 for certificates or certifications earned within the same fiscal year. The State Board of Education shall include the assigned values on the CAPE Industry Certification Funding List under rules adopted by the state board. Such value shall be added to the total full-time equivalent student membership for grades 6 through 12 in the subsequent year. CAPE industry certifications earned through dual enrollment must be reported and funded pursuant to s. 1011.80. However, if a student earns a certification through a dual enrollment course and the certification is not a fundable certification on the postsecondary certification funding list, or the dual enrollment certification is earned as a result of an

agreement between a school district and a nonpublic postsecondary institution, the bonus value shall be funded in the same manner as other non dual enrollment course industry certifications. In such cases, the school district may provide for an agreement between the high school and the technical center, or the school district and the postsecondary institution may enter into an agreement for equitable distribution of the bonus funds.

c. A value of 0.3 full-time equivalent student membership shall be calculated for student completion of the courses and the embedded certifications identified on the CAPE Industry Certification Funding List and approved by the commissioner pursuant to ss. 1003.4203(5)(a) and 1008.44.

d. A value of 0.5 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 15 to 29 college credit hours, and 1.0 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 30 or more college credit hours pursuant to CAPE Acceleration Industry Certifications approved by the commissioner pursuant to ss. 1003.4203(5)(b) and 1008.44.

2. Each district must allocate at least 80 percent of the funds provided for CAPE industry certification, in accordance with this paragraph, to the program that generated the funds. This allocation may not be used to supplant funds provided for basic operation of the program.

3. For CAPE industry certifications earned in the 2013-2014 school year and in subsequent years, the school district shall distribute to each classroom teacher who provided direct instruction toward the attainment of a CAPE industry certification that qualified for additional full-time equivalent membership under subparagraph 1.:

a. A bonus of \$25 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.1.

b. A bonus of \$50 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.2.

c. A bonus of \$75 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.3.

d. A bonus of \$100 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.5 or 1.0.

Bonuses awarded pursuant to this paragraph shall be provided to teachers who are employed by the district in the year in which the additional FTE membership calculation is included in the calculation. Bonuses shall be calculated based upon the associated weight of a CAPE industry certification on the CAPE Industry Certification Funding List for the year in which the certification is earned by the student. Any bonus awarded to a teacher pursuant to ~~under~~ this paragraph is in addition to any regular wage or other bonus the teacher received or is scheduled to receive. *A bonus may not be awarded to a teacher who fails to maintain the security of any CAPE industry certification examination or who otherwise violates the security or administration protocol of any assessment instrument that may result in a bonus being awarded to the teacher under this paragraph.*

(t) *Computation for funding through the Florida Education Finance Program.*—The State Board of Education may adopt rules establishing programs, industry certifications, and courses for which the student may earn credit toward high school graduation *and the criteria under which a student's industry certification or grade may be rescinded.*

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

Program for kindergarten through grade 12 programs shall be calculated as follows:

(a) *Estimated taxable value calculations.*—

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

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

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

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

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

(14) QUALITY ASSURANCE GUARANTEE.—The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to each school district. The guarantee shall be calculated from prior year base funding per unweighted FTE student which shall include the adjusted FTE dollars as provided in subsection (19) ~~(16)~~, quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection (19) ~~(16)~~ and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

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

the overall academic and community welfare of the schools' students and their families.

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

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

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

1. Establish comprehensive support services that develop family and community partnerships;
2. Establish clearly defined and measurable high academic and character standards;
3. Increase parental involvement and engagement in the child's education;
4. Describe how instructional personnel will be identified, recruited, retained, and rewarded;
5. Provide professional development that focuses on academic rigor, direct instruction, and creating high academic and character standards; and
6. Provide focused instruction to improve student academic proficiency, which may include additional instruction time beyond the normal school day or school year.

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

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

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

(17) **MENTAL HEALTH ASSISTANCE ALLOCATION.**—The mental health assistance allocation is created to provide funding to assist school districts and charter schools in their compliance with the requirements and specifications established in s. 1006.05. These funds must be allocated annually in the General Appropriations Act to each eligible school district and developmental research school based on each entity's proportionate share of Florida Education Finance Program base funding. The district funding allocation must include a minimum amount, as provided in the General Appropriations Act. Eligible charter schools are entitled to a proportionate share of district funding for the program. The allocated funds may not supplant funds that are provided for this purpose from other operating funds and may not be used to increase salaries or provide bonuses, except for personnel hired to implement the plans required by s. 1006.05. School districts and schools must maximize third-party funding from Medicaid and private insurance when appropriate.

(18) **FUNDING COMPRESSION ALLOCATION.**—The Legislature may provide an annual funding compression allocation in the General Appropriations Act. The allocation is created to provide additional funding to school districts and developmental research schools whose total funds per FTE in the prior year were less than the statewide average. Using the most recent prior year FEFP calculation for each eligible school district, the total funds per FTE shall be subtracted from the state average funds per FTE, not including any adjustments made pursuant to paragraph (19)(b). The resulting funds per FTE difference, or a portion thereof, as designated in the General Appropriations Act, shall then be multiplied by the school district's total unweighted FTE to provide the allocation. If the calculated funds are greater than the amount included in the General Appropriations Act, they must be prorated to the appropriation amount based on each participating school district's share.

Section 37. Subsection (5) of section 1011.69, Florida Statutes, is amended to read:

1011.69 Equity in School-Level Funding Act.—

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

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

1. One percent for parent involvement, in addition to the one percent the district must reserve under federal law for allocations to eligible schools for parent involvement;
2. A necessary and reasonable amount for administration;
3. ~~which includes~~ The district's approved indirect cost rate, ~~not to exceed a total of 8 percent; and~~
4. ~~A~~ A reasonable and necessary amount to provide:
 - a. Homeless programs;
 - b. Delinquent and neglected programs;
 - c. Prekindergarten programs and activities;
 - d. Private school equitable services; and
 - e. Transportation for foster care children to their school of origin or choice programs; and-
5. A necessary and reasonable amount for eligible schools to provide:
 - a. Extended learning opportunities, such as summer school, before-school and after-school programs, and additional class periods of instruction during the school day; and
 - b. Supplemental academic and enrichment services, staff development, and planning and curriculum, as well as wrap-around services.

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

Section 38. Subsection (5) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.—

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

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

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

Section 39. Subsection (4) of section 1012.2315, Florida Statutes, is amended to read:

1012.2315 Assignment of teachers.—

(4) COLLECTIVE BARGAINING.—

(a) Notwithstanding provisions of chapter 447 relating to district school board collective bargaining, collective bargaining provisions may not preclude a school district from providing incentives to high-quality teachers and assigning such teachers to low-performing schools.

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

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

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

2. *Notwithstanding the provisions of chapter 447 relating to collective bargaining, an employee organization whose dues paying membership is less than 50 percent of the employees eligible for representation in the unit, as identified in subparagraph 1., must petition the Public Employees Relations Commission pursuant to s. 447.307(2) and (3) for recertification as the exclusive representative of all employees in the unit within 1 month after the date on which the organization applies for renewal of registration pursuant to s. 447.305(2). The certification of an employee organization that does not comply with this paragraph is revoked.*

Section 40. Section 1012.315, Florida Statutes, is amended to read:

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

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

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

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

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

(d) Section 782.04, relating to murder.

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

(f) Section 784.021, relating to aggravated assault.

(g) Section 784.045, relating to aggravated battery.

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

(i) Section 787.01, relating to kidnapping.

(j) Section 787.02, relating to false imprisonment.

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

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

(m) Section 787.04(3), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending dependency proceedings or proceedings concerning alleged abuse or neglect of a minor.

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

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

(p) Section 794.011, relating to sexual battery.

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

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

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

(t) Chapter 796, relating to prostitution.

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

(v) Section 806.01, relating to arson.

(w) Section 810.14, relating to voyeurism.

(x) Section 810.145, relating to video voyeurism.

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

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

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

(bb) Section 812.13, relating to robbery.

(cc) Section 812.131, relating to robbery by sudden snatching.

(dd) Section 812.133, relating to carjacking.

(ee) Section 812.135, relating to home-invasion robbery.

(ff) Section 817.563, relating to fraudulent sale of controlled substances.

(gg) Section 825.102, relating to abuse, aggravated abuse, or neglect of an elderly person or disabled adult.

(hh) Section 825.103, relating to exploitation of an elderly person or disabled adult.

(ii) Section 825.1025, relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled person.

(jj) Section 826.04, relating to incest.

(kk) Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child.

(ll) Section 827.04, relating to contributing to the delinquency or dependency of a child.

(mm) Section 827.071, relating to sexual performance by a child.

(nn) Section 843.01, relating to resisting arrest with violence.

(oo) Chapter 847, relating to obscenity.

(pp) Section 874.05, relating to causing, encouraging, soliciting, or recruiting another to join a criminal street gang.

(qq) Chapter 893, relating to drug abuse prevention and control, if the offense was a felony of the second degree or greater severity.

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

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

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

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

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

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

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

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

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

Section 41. Subsection (2) of section 1012.32, Florida Statutes, is amended to read:

1012.32 Qualifications of personnel.—

(2)(a) Instructional and noninstructional personnel who are hired or contracted to fill positions that require direct contact with students in any district school system or university lab school must, upon employment or engagement to provide services, undergo background screening as required under s. 1012.465 or s. 1012.56, whichever is applicable.

(b) Instructional and noninstructional personnel who are hired or contracted to fill positions in any charter school and members of the governing board of any charter school, in compliance with s. 1002.33(12)(g), must, upon employment, engagement of services, or appointment, undergo background screening as required under s. 1012.465 or s. 1012.56, whichever is applicable, by filing with the district school board for the school district in which the charter school is located a complete set of fingerprints taken by an authorized law enforcement agency or an employee of the school or school district who is trained to take fingerprints.

(c) Instructional and noninstructional personnel who are hired or contracted to fill positions that require direct contact with students in an alternative school that operates under contract with a district school system must, upon employment or engagement to provide services, undergo background screening as required under s. 1012.465 or s.

1012.56, whichever is applicable, by filing with the district school board for the school district to which the alternative school is under contract a complete set of fingerprints taken by an authorized law enforcement agency or an employee of the school or school district who is trained to take fingerprints.

(d) Student teachers and persons participating in a field experience pursuant to s. 1004.04(5) or s. 1004.85 in any district school system, lab school, or charter school must, upon engagement to provide services, undergo background screening as required under s. 1012.56.

Fingerprints shall be submitted to the Department of Law Enforcement for statewide criminal and juvenile records checks and to the Federal Bureau of Investigation for federal criminal records checks. A person subject to this subsection who is found ineligible for employment under s. 1012.315, or otherwise found through background screening to have been convicted of any crime involving moral turpitude as defined by rule of the State Board of Education, shall not be employed, engaged to provide services, or serve in any position that requires direct contact with students. Probationary persons subject to this subsection terminated because of their criminal record have the right to appeal such decisions. The cost of the background screening may be borne by the district school board, the charter school, the employee, the contractor, or a person subject to this subsection. *If the district school board does not notify the charter school of the eligibility of governing board members and instructional and noninstructional personnel within 14 days after the submission of the fingerprints, it shall reimburse the cost of background screening.*

Section 42. Section 1012.562, Florida Statutes, is amended to read:

1012.562 Public accountability and state approval of school leader preparation programs.—The Department of Education shall establish a process for the approval of Level I and Level II school leader preparation programs that will enable aspiring school leaders to obtain their certificate in educational leadership under s. 1012.56. School leader preparation programs must be competency-based, aligned to the principal leadership standards adopted by the state board, and open to individuals employed by public schools, including charter schools and virtual schools. Level I programs ~~may be offered by school districts or postsecondary institutions and~~ lead to initial certification in educational leadership for the purpose of preparing individuals to serve as school administrators. Level II programs ~~may be offered by school districts,~~ build upon Level I training, and lead to renewal certification as a school principal.

(1) PURPOSE.—The purpose of school leader preparation programs are to:

(a) Increase the supply of effective school leaders in the public schools of this state.

(b) Produce school leaders who are prepared to lead the state's diverse student population in meeting high standards for academic achievement.

(c) Enable school leaders to facilitate the development and retention of effective and highly effective classroom teachers.

(d) Produce leaders with the competencies and skills necessary to achieve the state's education goals.

(e) Sustain the state system of school improvement and education accountability.

(2) LEVEL I PROGRAMS.—

(a) Initial approval of a Level I program shall be for a period of 5 years. A postsecondary institution, ~~or~~ school district, *charter school, or charter management organization* may submit to the department in a format prescribed by the department an application to establish a Level I school leader preparation program. To be approved, a Level I program must:

1. Provide competency-based training aligned to the principal leadership standards adopted by the State Board of Education.

2. If the program is provided by a postsecondary institution, partner with at least one school district.

3. Describe the qualifications that will be used to determine program admission standards, including a candidate's instructional expertise and leadership potential.

4. Describe how the training provided through the program will be aligned to the personnel evaluation criteria under s. 1012.34.

(b) Renewal of a Level I program's approval shall be for a period of 5 years and shall be based upon evidence of the program's continued ability to meet the requirements of paragraph (a). A postsecondary institution or school district must submit an institutional program evaluation plan in a format prescribed by the department for a Level I program to be considered for renewal. The plan must include:

1. The percentage of personnel who complete the program and are placed in school leadership positions in public schools within the state.

2. Results from the personnel evaluations required under s. 1012.34 for personnel who complete the program.

3. The passage rate of personnel who complete the program on the Florida Education Leadership Examination.

4. The impact personnel who complete the program have on student learning as measured by the formulas developed by the commissioner pursuant to s. 1012.34(7).

5. Strategies for continuous improvement of the program.

6. Strategies for involving personnel who complete the program, other school personnel, community agencies, business representatives, and other stakeholders in the program evaluation process.

7. Additional data included at the discretion of the postsecondary institution or school district.

(c) A Level I program must guarantee the high quality of personnel who complete the program for the first 2 years after program completion or the person's initial certification as a school leader, whichever occurs first. If a person who completed the program is evaluated at less than highly effective or effective under s. 1012.34 and the person's employer requests additional training, the Level I program must provide additional training at no cost to the person or his or her employer. The training must include the creation of an individualized plan agreed to by the employer that includes specific learning outcomes. The Level I program is not responsible for the person's employment contract with his or her employer.

(3) LEVEL II PROGRAMS.—Initial approval and subsequent renewal of a Level II program shall be for a period of 5 years. A school district, *charter school*, or *charter management organization* may submit to the department in a format prescribed by the department an application to establish a Level II school leader preparation program or for program renewal. To be approved or renewed, a Level II program must:

(a) Demonstrate that personnel accepted into the Level II program have:

1. Obtained their certificate in educational leadership under s. 1012.56.

2. Earned a highly effective or effective designation under s. 1012.34.

3. Satisfactorily performed instructional leadership responsibilities as measured by the evaluation system in s. 1012.34.

(b) Demonstrate that the Level II program:

1. Provides competency-based training aligned to the principal leadership standards adopted by the State Board of Education.

2. Provides training aligned to the personnel evaluation criteria under s. 1012.34 and professional development program in s. 1012.986.

3. Provides individualized instruction using a customized learning plan for each person enrolled in the program that is based on data from self-assessment, selection, and appraisal instruments.

4. Conducts program evaluations and implements program improvements using input from personnel who completed the program and employers and data gathered pursuant to paragraph (2)(b).

(c) Gather and monitor the data specified in paragraph (2)(b).

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

Section 43. Paragraphs (b) and (c) of subsection (3) of section 1012.731, Florida Statutes, are amended to read:

1012.731 The Florida Best and Brightest Teacher Scholarship Program.—

(3)

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

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

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

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

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

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

Section 44. Subsections (2), (3), and (4) of section 1012.732, Florida Statutes, are amended to read:

1012.732 The Florida Best and Brightest Principal Scholarship Program.—

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

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

(b) A principal of a franchise model school, as defined in s. 1002.334, is eligible to receive a scholarship under this section.

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

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

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

Section 45. Paragraph (e) of subsection (1) of section 1012.796, Florida Statutes, is amended to read:

1012.796 Complaints against teachers and administrators; procedure; penalties.—

(1)

(e) If allegations arise against an employee who is certified under s. 1012.56 and employed in an educator-certificated position in any public school, charter school or governing board thereof, or private school that accepts scholarship students under s. 1002.385, s. 1002.39, ~~or~~ s. 1002.395, or another state scholarship program under chapter 1002, the school shall file in writing with the department a legally sufficient complaint within 30 days after the date on which the subject matter of the complaint came to the attention of the school. A complaint is legally sufficient if it contains ultimate facts that show a violation has occurred as provided in s. 1012.795 and defined by rule of the State Board of Education. The school shall include all known information relating to the complaint with the filing of the complaint. This paragraph does not limit or restrict the power and duty of the department to investigate complaints, regardless of the school's untimely filing, or failure to file, complaints and followup reports.

Section 46. Subsection (11) of section 1012.98, Florida Statutes, is amended to read:

1012.98 School Community Professional Development Act.—

(11) The department shall disseminate to the school community proven model professional development programs that have demonstrated success in increasing rigorous and relevant content, increasing student achievement and engagement, meeting identified student needs, and providing effective mentorship activities to new teachers and training to teacher mentors. The methods of dissemination must include a web-based statewide performance-support system including a database of exemplary professional development activities, a listing of available professional development resources, training programs, and available technical assistance. *Professional development resources must include sample course-at-a-glance and unit overview templates that school districts may use when developing curriculum. The templates must provide an organized structure for addressing the Florida Standards, grade-level expectations, evidence outcomes, and 21st century skills that build students' mastery of the standards at each grade level. Each template must support teaching to greater intellectual depth and emphasize transfer and application of concepts, content, and skills. At a minimum, each template must:*

(a) Provide course or year-long sequencing of concept-based unit overviews based on the Florida Standards.

(b) Describe the knowledge and vocabulary necessary for comprehension.

(c) Promote the instructional shifts required within the Florida Standards.

(d) Illustrate the interdependence of grade level expectations within and across content areas within a grade.

Section 47. Paragraph (a) of subsection (2) of section 1013.28, Florida Statutes, is amended to read:

1013.28 Disposal of property.—

(2) TANGIBLE PERSONAL PROPERTY.—

(a) Tangible personal property that has been properly classified as surplus by a district school board or Florida College System institution board of trustees shall be disposed of in accordance with the procedure established by chapter 274. However, the provisions of chapter 274 shall not be applicable to a motor vehicle used in driver education to which title is obtained for a token amount from an automobile dealer or manufacturer. In such cases, the disposal of the vehicle shall be as prescribed in the contractual agreement between the automotive agency or manufacturer and the board. *Tangible personal property that has been properly classified as surplus, marked for disposal, or otherwise unused by a district school board shall be provided for a charter school's use on the same basis as it is made available to other public schools in the district. A charter school receiving property from the school district may not sell or dispose of such property without the written permission of the school district.*

Section 48. Present paragraphs (a) through (d) of subsection (1) of section 1013.31, Florida Statutes, are redesignated as paragraphs (b) through (e), respectively, and a new paragraph (a) is added to that subsection, to read:

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

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

(a) *Educational plant survey and localized need assessment for capital outlay purposes.—A district may only use funds from the following sources for educational, auxiliary, and ancillary plant capital outlay purposes without needing a survey recommendation:*

1. *The local capital outlay improvement fund, consisting of funds that come from and are a part of the district's basic operating budget;*

2. *If a board decides to build an educational, auxiliary, or ancillary facility without a survey recommendation and the taxpayers approve a bond referendum, the voted bond referendum;*

3. *One-half cent sales surtax revenue;*

4. *One cent local governmental surtax revenue;*

5. *Impact fees; and*

6. *Private gifts or donations.*

Section 49. Paragraph (e) is added to subsection (2) of section 1013.385, Florida Statutes, to read:

1013.385 School district construction flexibility.—

(2) A resolution adopted under this section may propose implementation of exceptions to requirements of the uniform statewide building code for the planning and construction of public educational and ancillary plants adopted pursuant to ss. 553.73 and 1013.37 relating to:

(e) *Any other provisions that limit the ability of a school to operate in a facility on the same basis as a charter school pursuant to s. 1002.33(18) if the regional planning council determines that there is sufficient shelter capacity within the school district as documented in the Statewide Emergency Shelter Plan.*

Section 50. Subsection (3) of section 1013.62, Florida Statutes, is amended, and paragraph (c) is added to subsection (1) of that section, to read:

1013.62 Charter schools capital outlay funding.—

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

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

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

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

3. *Owned by and leased, at a fair market value in the school district in which the charter school is located, from a person or entity that is not an affiliated party of the charter school. For the purposes of this subparagraph, the term "affiliated party of the charter school" means the applicant for the charter school pursuant to s. 1002.33; the governing board of the charter school or a member of the governing board; the charter school owner; the charter school principal; an employee of the charter school; an independent contractor of the charter school or the governing board of the charter school; a relative, as defined in s. 1002.33(24)(a)2., of a charter school governing board member, a charter school owner, a charter school principal, a charter school employee, or an independent contractor of a charter school or charter school governing board; a subsidiary corporation, a service corporation, an affiliated corporation, a parent corporation, a limited liability company, a limited partnership, a trust, a partnership, or a related party that, individually or through one or more entities, shares common ownership or control and directly or indirectly manages, administers, controls, or oversees the operation of the charter school; or any person or entity, individually or through one or more entities that share common ownership, which directly or indirectly manages, administers, controls, or oversees the operation of any of the foregoing.*

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

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

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

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

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

to the net total calculated capital outlay allocation from local funds for each district.

(e) *For each charter school within each district, the net capital outlay amount from local funds shall be calculated in the same manner as the state funds in paragraphs (2)(a)-(d), except that the base charter school per weighted FTE allocation amount shall be determined by dividing the net total capital outlay amount from local funds by the total weighted FTE for all eligible charter schools within the district. The per weighted FTE allocation amount from local funds shall be multiplied by the weighted FTE for each charter school to determine each charter school's capital outlay allocation from local funds.*

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

Section 51. Effective July 1, 2019, subsection (13) of section 212.08, Florida Statutes, is amended to read:

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

(13) No transactions shall be exempt from the tax imposed by this chapter except those expressly exempted herein. All laws granting tax exemptions, to the extent they may be inconsistent or in conflict with this chapter, including, but not limited to, the following designated laws, shall yield to and be superseded by the provisions of this subsection: ss. 125.019, 153.76, 154.2331, 159.15, 159.31, 159.50, 159.708, 163.385, 163.395, 215.76, 243.33, 315.11, 348.65, 348.762, 349.13, 403.1834, and 616.07, ~~and 623.09~~, and the following Laws of Florida, acts of the year indicated: s. 31, chapter 30843, 1955; s. 19, chapter 30845, 1955; s. 12, chapter 30927, 1955; s. 8, chapter 31179, 1955; s. 15, chapter 31263, 1955; s. 13, chapter 31343, 1955; s. 16, chapter 59-1653; s. 13, chapter 59-1356; s. 12, chapter 61-2261; s. 19, chapter 61-2754; s. 10, chapter 61-2686; s. 11, chapter 63-1643; s. 11, chapter 65-1274; s. 16, chapter 67-1446; and s. 10, chapter 67-1681. This subsection does not supersede the authority of a local government to adopt financial and local government incentives pursuant to s. 163.2517.

Section 52. *For the 2018-2019 fiscal year, the sum of \$2,596,560 in recurring funds from the General Revenue Fund and the sum of \$392,134 in nonrecurring funds from the General Revenue Fund are appropriated to the Department of Education to implement this act as follows: the sum of \$2 million in recurring funds shall be used to implement the Hope Scholarship Program created pursuant to s. 1002.40, Florida Statutes, the sums of \$596,560 in recurring funds and \$142,134 in nonrecurring funds shall be used to implement the additional oversight requirements pursuant to s. 1002.421, Florida Statutes, and the sum of \$250,000 in nonrecurring funds shall be used to issue a competitive grant award pursuant to s. 1002.395(9), Florida Statutes.*

Section 53. *The Department of Revenue may, and all conditions are deemed met to, adopt emergency rules pursuant to ss. 120.536(1) and 120.54, Florida Statutes, to administer this act.*

Section 54. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2018.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to education; creating s. 212.1832, F.S.; authorizing certain persons to receive a tax credit for certain contributions to eligible nonprofit scholarship-funding organizations for the Hope Scholarship Program; providing requirements for motor vehicle dealers; requiring the Department of Revenue to disregard certain tax credits for specified purposes; providing that specified provisions apply to certain provisions; amending s. 213.053, F.S.; authorizing the Department of Revenue to share specified information with eligible nonprofit scholarship-funding organizations; providing that certain requirements apply to such organizations; repealing ch. 623, F.S., relating to private school corporations, on a specified date; amending s. 1001.10, F.S.; revising the private schools to which the Department of Education is required to provide technical assistance and authorized staff; amending s.

1001.4205, F.S.; authorizing a member of the State Legislature to visit any district school, including any charter school, in his or her legislative district; amending s. 1002.01, F.S.; revising and defining terms; amending s. 1002.20, F.S.; updating educational options and terminology; amending s. 1002.33, F.S.; revising the criteria for denying high-performing charter school system applications; revising requirements for the term of a charter; revising provisions for the modification of and the nonrenewal or termination of a charter; revising the process for resolving contractual disputes; amending s. 1002.331, F.S.; revising the calculation used to determine facility capacity for such charter schools; revising the number of schools that can be established by a high-performing charter school; amending s. 1002.333, F.S.; redefining the terms “persistently low-performing school” and “school of hope”; revising the required contents of a school of hope notice of intent and performance-based agreement; revising school of hope facility requirements; specifying that certain schools of hope are eligible to receive hope supplemental service allocation funds; requiring the State Board of Education to provide awards to all eligible schools that meet certain requirements; providing for certain funds for the Schools of Hope Program to be carried forward for a specified number of years; prohibiting a school of hope operator or owner from serving as the principal of a school of hope that he or she manages; conforming cross-references; creating s. 1002.334, F.S.; defining the term “franchise model school”; authorizing specified schools to use a franchise model school as a turnaround option; specifying requirements for a franchise model school principal; amending s. 1002.37, F.S.; requiring school districts to provide Florida Virtual School students access to certain examinations and assessments and certain information; amending s. 1002.385, F.S.; revising the meaning of a rare disease within the definition of a “disability” for purposes of the Gardiner Scholarship Program; revising requirements for private schools that participate in the program; specifying that the failure or refusal, rather than the inability of, a private school to meet certain requirements constitutes a basis for program ineligibility; conforming cross-references; amending s. 1002.39, F.S.; revising the purpose of department site visits at private schools participating in the John M. McKay Scholarships for Students with Disabilities Program; authorizing the department to make followup site visits at any time to certain private schools; requiring participating private schools to provide a specified report from an independent certified public accountant under certain circumstances; specifying that the failure or refusal, rather than the inability of, a private school to meet certain requirements constitutes a basis for program ineligibility; conforming provisions to changes made by the act; amending s. 1002.395, F.S.; revising obligations of eligible nonprofit scholarship-funding organizations participating in the Florida Tax Credit Scholarship Program; specifying that the failure or refusal, rather than the inability of, a private school to meet certain requirements constitutes a basis for program ineligibility; revising the purpose of department site visits at private schools participating in the Florida Tax Credit Scholarship Program; authorizing the department to make followup site visits at any time to certain private schools; conforming provisions to changes made by the act; creating s. 1002.40, F.S.; establishing the Hope Scholarship Program; providing the purpose of the program; defining terms; providing eligibility requirements; prohibiting the payment of a scholarship under certain circumstances; requiring a principal to provide copies of a report of physical violence or emotional abuse to certain individuals within specified timeframes; requiring the principal to investigate such incidents; requiring a school district to notify an eligible student’s parent of the program under certain circumstances; requiring a school district to provide certain information relating to the statewide assessment program; providing requirements and obligations for eligible private schools; providing Department of Education obligations relating to participating students and private schools and program requirements; providing Commissioner of Education obligations; requiring the commissioner to deny, suspend, or revoke a private school’s participation in the program or the payment of scholarship funds under certain circumstances; defining the term “owner or operator”; providing a process for review of a decision from the commissioner under certain circumstances; providing for the release of personally identifiable student information under certain circumstances; providing parent and student responsibilities for initial and continued participation in the program; providing nonprofit scholarship-funding organization obligations; providing for the calculation of the scholarship amount; providing the scholarship amount for students transferred to certain public schools; requiring verification of specified information before a scholarship may be disbursed; providing requirements for the scholarship payments; providing funds for administrative expenses for certain nonprofit

scholarship-funding organizations; providing requirements for administrative expenses; prohibiting a nonprofit scholarship-funding organization from charging an application fee; providing Auditor General obligations; providing requirements for taxpayer elections to contribute to the program; requiring the Department of Revenue to adopt forms to administer the program; providing requirements for certain agents of the Department of Revenue and motor vehicle dealers; providing reporting requirements for nonprofit scholarship-funding organizations relating to taxpayer contributions; providing penalties; providing for the restitution of specified funds under certain circumstances; providing the state is not liable for the award or use of program funds; prohibiting additional regulations for private schools participating in the program beyond those necessary to enforce program requirements; requiring the State Board of Education to adopt rules to administer the program; creating s. 1002.411, F.S.; establishing reading scholarship accounts for specified purposes; providing for eligibility for scholarships; providing for administration; providing duties of the Department of Education; providing school district obligations; specifying options for parents; providing that maximum funding shall be specified in the General Appropriations Act; providing for payment of funds; specifying that no state liability arises from the award or use of a reading scholarship account; amending s. 1002.421, F.S.; defining the term “owner or operator”; requiring a private school to employ or contract with teachers who meet certain qualifications and provide information about such qualifications to the department and parents; revising the conditions under which a private school employee may be exempted from background screening requirements; specifying that a private school is ineligible to participate in certain scholarship programs under certain circumstances; requiring the department to annually visit a certain percentage of certain private schools; authorizing the department to make certain followup site visits at any time; requiring the Division of State Fire Marshal to annually provide the department with fire safety inspection reports for certain private schools; requiring that certain private schools provide the department with a report from an independent certified public accountant under certain circumstances; repealing s. 1002.43, F.S., relating to private tutoring programs; amending s. 1002.45, F.S.; revising documentation requirements for virtual education providers; providing for the automatic termination of a virtual instruction provider’s contract under certain circumstances; authorizing the State Board of Education to grant a waiver of such termination; amending s. 1002.55, F.S.; authorizing an early learning coalition to refuse to contract with certain private prekindergarten providers; amending s. 1003.01, F.S.; redefining the term “regular school attendance”; amending s. 1003.26, F.S.; conforming a cross-reference; amending s. 1003.41, F.S.; revising the requirements for the Next Generation Sunshine State Standards to include financial literacy; amending s. 1003.4282, F.S.; revising the required credits for a standard high school diploma to include one-half credit of instruction in personal financial literacy and money management and seven and one-half, rather than eight, credits in electives; amending s. 1003.44, F.S.; requiring each district school board to adopt rules for the display of the official state motto in specified places; amending s. 1003.453, F.S.; conforming provisions to changes made by the act; creating s. 1003.457, F.S.; requiring school districts to provide instruction in cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator; requiring students to study and practice psychomotor skills associated with CPR at least once before graduating from high school; requiring the instruction to be a part of a required curriculum; providing instruction to be based on certain programs; providing an exemption; creating s. 1006.05, F.S.; providing the purpose of the mental health assistance allocation; requiring that school districts and charter schools annually develop and submit certain detailed plans; requiring that approved charter school plans be provided to the district for submission to the Commissioner of Education; providing that required plans must include certain elements; requiring school districts to annually submit approved plans to the commissioner by a specified date; requiring that entities receiving such allocations annually submit a final report on program outcomes and specific expenditures to the commissioner by a specified date; amending s. 1006.061, F.S.; revising the applicability of certain child abuse, abandonment, and neglect provisions; amending s. 1006.07, F.S.; requiring district school boards to formulate and prescribe policies and procedures for active shooter situations; requiring that active shooter situation training for each school be conducted by the law enforcement agency or agencies that are designated as first responders to the school’s campus; requiring each school district to conduct certain assessments in a specified format; requiring a district school superintendent to provide specified agencies

with certain findings and certain strategy and activity recommendations to improve school safety and security; requiring that district school boards and private school principals or governing boards allow campus tours by such law enforcement agency or agencies at specified times and for specified purposes; requiring that certain recommendations be documented by such board or principal; amending s. 1006.12, F.S.; requiring, rather than authorizing, district school boards to establish certain school resource officer programs; requiring a district school board to commission one or more school safety officers at each district school facility within the district; amending s. 1007.271, F.S.; deleting a requirement for a home education student to provide his or her own instructional materials; revising the requirements for home education and private school articulation agreements; amending s. 1007.273, F.S.; defining the term “structured program”; providing additional options for students participating in a structured program; prohibiting a district school board from limiting the number of public school students who may participate in a structured program; revising contract requirements; requiring each district school board to annually notify students in certain grades of certain information about the structured program, by a specified date; revising provisions relating to funding; requiring the state board to enforce compliance with certain provisions by a specified date each year; providing reporting requirements; amending s. 1008.33, F.S.; revising the turnaround options available for certain schools; amending s. 1011.62, F.S.; prohibiting the award of certain bonuses to teachers who fail to maintain the security of certain examinations or violate certain protocols; authorizing the state board to adopt rules for specified purposes; creating the hope supplemental services allocation; providing the purpose of the allocation; specifying the services that may be funded by the allocation; providing that implementation plans may include certain models; providing requirements for implementation plans; providing for the allocation of funds in specified fiscal years; creating the mental health assistance allocation; providing the purpose of the allocation; requiring that funds be allocated annually in the General Appropriations Act; providing for the allocation of such funds on a specified basis; providing that eligible charter schools are entitled to a proportionate share; prohibiting the use of allocated funds to supplant funds provided from other operating funds, to increase salaries, or to provide bonuses, except in certain circumstances; requiring that school districts and schools maximize certain third-party funding; creating the funding compression allocation; providing the purpose of the allocation; authorizing funding for the annual allocation; providing the calculation for the allocation; amending s. 1011.69, F.S.; authorizing certain high schools to receive Title I funds; providing that a school district may withhold Title I funds for specified purposes; authorizing certain schools to use Title I funds for specified purposes; amending s. 1011.71, F.S.; increasing the amount that a school district may expend from a specified millage levy for certain expenses; amending s. 1012.2315, F.S.; requiring certain employee organizations to include specified information in a specified application and to petition for recertification for specified purposes; amending s. 1012.315, F.S.; revising the applicability of certain provisions related to disqualification from employment for the conviction of specified offenses; amending s. 1012.32, F.S.; requiring a district school board to reimburse certain costs if it fails to notify a charter school of the eligibility status of certain persons; amending s. 1012.562, F.S.; authorizing charter schools and charter management organizations to offer school leader preparation programs; amending s. 1012.731, F.S.; extending eligibility for the Florida Best and Brightest Teacher Scholarship Program to school district employees who, in the immediately preceding school year, were classroom teachers and met eligibility requirements; deleting scholarship awards authorized for specific school years; amending s. 1012.732, F.S.; specifying that a franchise model school principal is eligible to receive a Florida Best and Brightest Principal scholarship; requiring specified awards for eligible principals; amending s. 1012.796, F.S.; revising the applicability of a requirement that certain private schools file specified reports with the department for certain allegations against its employees; amending s. 1012.98, F.S.; requiring professional development resources to include sample course-at-a-glance and unit overview templates; providing requirements for such templates; amending s. 1013.28, F.S.; requiring school districts to provide charter schools access to certain property on the same basis as public schools; prohibiting certain actions by a charter school without the written permission of the school district; amending s. 1013.31, F.S.; authorizing a district to use certain sources of funds for educational, auxiliary, and ancillary plant capital outlay purposes without needing a survey recommendation; amending s. 1013.385, F.S.; providing additional exceptions to certain building code regulations for school dis-

tricts; amending s. 1013.62, F.S.; providing legislative intent; prohibiting a charter school from being eligible for capital outlay funds unless the chair of the governing board and the chief administrative officer of the charter school annually certify certain information; defining the term “affiliated party of the charter school”; revising the Department of Education’s calculation methodology for a school district’s distribution of discretionary millage to its eligible charter schools; amending s. 212.08, F.S.; conforming a cross-reference; providing appropriations; providing appropriations; authorizing the Department of Revenue to adopt emergency rules for specified purposes; providing effective dates.

The Committee on Education recommended the following amendment which was moved by Senator Hukill and failed:

Amendment 2 (903516) (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 organization under s. 1002.40 against any tax imposed by the state and collected from the purchaser by a dealer, designated agent, or private tag agent as a result of the purchase or acquisition of a motor vehicle. For purposes of this subsection, the term “purchase” does not include the lease or rental of a motor vehicle.*

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

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

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

213.053 Confidentiality and information sharing.—

(21)(a) *The department may provide to an eligible nonprofit scholarship-funding organization, as defined in s. 1002.40, a dealer’s name, address, federal employer identification number, and information related to differences between credits taken by the dealer pursuant to s. 212.1832(2) and amounts remitted to the eligible nonprofit scholarship-funding organization under s. 1002.40(13)(b)3. The eligible nonprofit scholarship-funding organization may use the information for purposes of recovering eligible contributions designated for that organization that were collected by the dealer but never remitted to the organization.*

(b) *Nothing in this subsection authorizes the disclosure of information if such disclosure is prohibited by federal law. An eligible nonprofit scholarship-funding organization is bound by the same requirements of confidentiality and the same penalties for a violation of the requirements as the department.*

Section 3. *Effective July 1, 2019, chapter 623, Florida Statutes, consisting of sections 623.01, 623.02, 623.03, 623.04, 623.05, 623.06, 623.07, 623.08, 623.09, 623.10, 623.11, 623.12, 623.13, and 623.14, is repealed.*

Section 4. Subsections (4) and (5) of section 1001.10, Florida Statutes, are amended to read:

1001.10 Commissioner of Education; general powers and duties.—

(4) *The Department of Education shall provide technical assistance to school districts, charter schools, the Florida School for the Deaf and the Blind, and private schools that accept scholarship students under s. 1002.385, s. 1002.39, or s. 1002.395, or another state scholarship program under chapter 1002 in the development of policies, procedures, and training related to employment practices and standards of ethical*

conduct for instructional personnel and school administrators, as defined in s. 1012.01.

(5) The Department of Education shall provide authorized staff of school districts, charter schools, the Florida School for the Deaf and the Blind, and private schools that accept scholarship students under s. 1002.385, s. 1002.39, ~~or~~ s. 1002.395, or another state scholarship program under chapter 1002 with access to electronic verification of information from the following employment screening tools:

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

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

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

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

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

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

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

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

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

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

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

1002.01 Definitions.—

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

(2) A "private school" is a nonpublic school *that is registered in accordance with s. 1002.42 and is defined as an individual, association, copartnership, or corporation, or department, division, or section of such organizations, that designates itself as an educational center that includes kindergarten or a higher grade or as an elementary, secondary, business, technical, or trade school below college level or any organization that provides instructional services that meet the intent of s. 1003.01(13) or that gives preemployment or supplementary training in technology or in fields of trade or industry or that offers academic, literary, or career training below college level, or any combination of the above, including an institution that performs the functions of the above schools through correspondence or extension, except those licensed under the provisions of chapter 1005.* A private school may be a paro-

chial, religious, denominational, for-profit, or nonprofit school *attended by a student in order to satisfy the attendance requirements of s. 1003.01(13).* This definition does not include home education programs conducted in accordance with s. 1002.41.

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

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

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

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

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

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

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

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

(2) ATTENDANCE.—

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

(6) EDUCATIONAL CHOICE.—

(a) *Public educational school choices.*—Parents of public school students may seek any public educational school choice options that are applicable and available to students throughout the state. These options may include controlled open enrollment, single-gender programs, lab schools, virtual instruction programs, charter schools, charter technical career centers, magnet schools, alternative schools, special programs, auditory-oral education programs, advanced placement, dual enrollment, International Baccalaureate, International General Certificate of Secondary Education (pre-AICE), CAPE digital tools, CAPE industry certifications, collegiate high school programs, Advanced International Certificate of Education, early admissions, credit by examination or demonstration of competency, the New World School of the Arts, the Florida School for the Deaf and the Blind, and the Florida Virtual School. These options may also include the public educational choice options of the Opportunity Scholarship Program and the McKay Scholarships for Students with Disabilities Program.

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

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

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

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

4. *Under the Hope Scholarship Program, the parent of a student who was the victim of a substantiated incident of violence or abuse while attending a public school may seek a scholarship for the student to attend a private school in accordance with s. 1002.40.*

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

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

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

1002.33 Charter schools.—

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

(b) A sponsor shall receive and review all applications for a charter school using the evaluation instrument developed by the Department of Education. A sponsor shall receive and consider charter school applications received on or before August 1 of each calendar year for charter schools to be opened at the beginning of the school district's next school year, or to be opened at a time agreed to by the applicant and the sponsor. A sponsor may not refuse to receive a charter school application submitted before August 1 and may receive an application submitted later than August 1 if it chooses. Beginning in 2018 and thereafter, a sponsor shall receive and consider charter school applications received on or before February 1 of each calendar year for charter schools to be opened 18 months later at the beginning of the school district's school year, or to be opened at a time agreed to by the applicant and the sponsor. A sponsor may not refuse to receive a charter school application submitted before February 1 and may receive an application submitted later than February 1 if it chooses. A sponsor may not charge an applicant for a charter any fee for the processing or consideration of an application, and a sponsor may not base its consideration or approval of a final application upon the promise of future payment of any kind. Before approving or denying any application, the sponsor shall allow the applicant, upon receipt of written notification, at least 7 calendar days to make technical or nonsubstantive corrections and clarifications, including, but not limited to, corrections of grammatical, typographical, and like errors or missing signatures, if such errors are identified by the sponsor as cause to deny the final application.

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

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

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

articulate in writing the specific reasons, based upon good cause, supporting its denial of the application and shall provide the letter of denial and supporting documentation to the applicant and to the Department of Education.

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

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

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

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

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

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

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

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

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

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

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

1002.331 High-performing charter schools.—

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

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

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

(c) Did not receive a financial audit that revealed one or more of the financial emergency conditions set forth in s. 218.503(1) in the most

recent 3 fiscal years for which such audits are available. However, this requirement is deemed met for a charter school-in-the-workplace if there is a finding in an audit that the school has the monetary resources available to cover any reported deficiency or that the deficiency does not result in a deteriorating financial condition pursuant to s. 1002.345(1)(a)3.

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

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

1002.333 Persistently low-performing schools.—

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

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

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

(c) "School of hope" means:

1. A charter school operated by a hope operator which serves students from one or more persistently low-performing schools; is located in the attendance zone of a persistently low-performing school ~~or within a 5-mile radius of such school, whichever is greater~~; and is a Title I eligible school; or

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

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

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

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

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

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

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

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

6. Other outcome measures as determined by the State Board of Education;

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

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

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

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

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

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

1. An academic focus and plan.
2. A financial plan.
3. Goals and objectives for increasing student achievement for the students from low-income families.
4. A completed or planned community outreach plan.
5. The organizational history of success in working with students with similar demographics.
6. The grade levels to be served and enrollment projections.
7. The ~~specific proposed~~ location or geographic area proposed for the school and its proximity to the persistently low-performing school ~~or the plan to use the district-owned facilities of the persistently low-performing school.~~
8. A staffing plan.
9. An operations plan specifying the operator's intent to undertake the operations of the persistently low-performing school in its entirety or through limited components of the operations.

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

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

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

~~(h)(i)~~ A provision establishing the initial term as 5 years. The agreement ~~must shall~~ be renewed, upon the request of the hope operator, unless the school fails to meet the requirements for student performance established pursuant to paragraph (d) ~~(e)~~ or generally accepted standards of fiscal management or the school of hope materially violates the law or the terms of the agreement.

(7) FACILITIES.—

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

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

The local governing authority shall not adopt or impose any local building requirements or site-development restrictions, such as parking and site-size criteria, student enrollment, and occupant load, that are addressed by and more stringent than those found in the State Requirements for Educational Facilities of the Florida Building Code. A local governing authority must treat schools of hope equitably in comparison to similar requirements, restrictions, and site planning processes imposed upon public schools. The agency having jurisdiction for inspection of a facility and issuance of a certificate of occupancy or use shall be the local municipality or, if in an unincorporated area, the county governing authority. If an official or employee of the local governing authority refuses to comply with this paragraph, the aggrieved school or entity has an immediate right to bring an action in circuit court to enforce its rights by injunction. An aggrieved party that receives injunctive relief may be awarded reasonable attorney fees and court costs.

(9) FUNDING.—

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

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

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

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

(e) Schools of hope that meet the definition under subparagraph (1)(c)2. are eligible to receive funds from the hope supplemental services allocation established under s. 1011.62(16).

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

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

1. Establish wrap around services that develop family and community partnerships.
2. Establish clearly defined and measurable high academic and character standards.
3. Increase parental involvement and engagement in the child’s education.
4. Describe how the school district will identify, recruit, retain, and reward instructional personnel. The state board may waive the re-

quirements of s. 1012.22(1)(c)5., and suspend the requirements of s. 1012.34, to facilitate implementation of the plan.

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

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

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

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

1002.334 Franchise model schools.—

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

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

(3) A franchise model school principal:

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

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

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

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

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

1002.385 The Gardiner Scholarship.—

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

(d) “Disability” means, for a 3- or 4-year-old child or for a student in kindergarten to grade 12, autism spectrum disorder, as defined in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, published by the American Psychiatric Association; cerebral palsy, as defined in s. 393.063(6); Down syndrome, as defined in s. 393.063(15); an intellectual disability, as defined in s. 393.063(24); Phelan-McDermid syndrome, as defined in s. 393.063(28); Prader-Willi syndrome, as defined in s. 393.063(29); spina bifida, as defined in s. 393.063(40); being a high-risk child, as defined in s. 393.063(23)(a); muscular dystrophy; Williams syndrome; a rare disease, a disorder that affects diseases which affect patient populations of fewer than 200,000 individuals or fewer in the United States, as defined by the Orphan Drug Act of 1983, Pub. L. No. 97-414 National Organization for Rare Disorders; anaphylaxis; deaf; visually impaired; traumatic brain injured; hospital or homebound; or identification as dual sensory impaired, as defined by rules of the State Board of Education and evidenced by reports from local school districts. The term “hospital or homebound” includes a student who has a medically diagnosed physical or psychiatric condition or illness, as defined by the state board in rule, and who is confined to the home or hospital for more than 6 months.

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

(d) Enrollment in, or tuition or fees associated with enrollment in, a home education program, an eligible private school, an eligible post-

secondary educational institution or a program offered by the institution, ~~a private tutoring program authorized under s. 1002.43,~~ a virtual program offered by a department-approved private online provider that meets the provider qualifications specified in s. 1002.45(2)(a), the Florida Virtual School as a private paying student, or an approved online course offered pursuant to s. 1003.499 or s. 1004.0961.

(h) Tuition and fees for part-time tutoring services provided by a person who holds a valid Florida educator's certificate pursuant to s. 1012.56; a person who holds an adjunct teaching certificate pursuant to s. 1012.57; or a person who has demonstrated a mastery of subject area knowledge pursuant to s. 1012.56(5). As used in this paragraph, the term "part-time tutoring services" does not qualify as regular school attendance as defined in s. 1003.01(13) ~~s. 1003.01(13)(e).~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) While he or she is receiving an educational scholarship pursuant to this chapter;

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

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

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

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

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

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

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

(f)1. Conduct ~~random~~ site visits to private schools participating in the John M. McKay Scholarships for Students with Disabilities Program as authorized under s. 1002.421(7). The purposes ~~purpose~~ of the site visits are ~~is solely~~ to verify compliance with the provisions of subsection (7) aimed at protecting the health, safety, and welfare of students and to verify the information reported by the schools concerning the enrollment and attendance of students, the credentials of teachers, background screening of teachers, and teachers' fingerprinting results, which information is required by rules of the State Board of Education, subsection (8), and s. 1002.421. The Department of Education may ~~not~~ make ~~followup~~ more than three ~~random~~ site visits at any time to any school that has received a notice of noncompliance or a notice of proposed action within the previous 2 years pursuant to subsection (7) ~~each year and may not make more than one random site visit each year to the same private school.~~

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

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

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

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

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

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

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

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

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

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

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

1002.395 Florida Tax Credit Scholarship Program.—

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

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

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

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

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

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

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

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

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

(o)1.a. Must participate in the joint development of agreed-upon procedures to be performed by an independent certified public accountant as required under paragraph (8)(e) if the scholarship-funding organization provided more than \$250,000 in scholarship funds to an eligible private school under this ~~chapter section~~ during the ~~2009-2010~~ state fiscal year. The agreed-upon procedures must uniformly apply to all private schools and must determine, at a minimum, whether the private school has been verified as eligible by the Department of Education under paragraph (9)(c); has an adequate accounting system, system of financial controls, and process for deposit and classification of scholarship funds; and has properly expended scholarship funds for education-related expenses. During the development of the procedures, the participating scholarship-funding organizations shall specify guidelines governing the materiality of exceptions that may be found during the accountant's performance of the procedures. The procedures and guidelines shall be provided to private schools and the Commissioner of Education by March 15, 2011.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1002.40 *The Hope Scholarship Program.*—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) **SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.**—

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

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

3. *During the investigation period, the principal and the superintendent shall take all necessary actions to continue the educational services of students involved in the reported incident while taking every reasonable precaution to keep the alleged offender separated from the victim or any sibling of the victim while on school grounds or on school transportation, pursuant to ss. 1006.09, 1006.13, and 1006.147, as appropriate.*

4. *Upon the principal's determination that an alleged incident is unsubstantiated or the resolution of issues related to a substantiated incident or within 15 days after the incident was reported, whichever occurs first, the principal must report to the victim's parent and the alleged offender's parent the findings, outcome, or status of the investigation. The principal shall continue to provide such reports to the parents at least every 15 days until the investigation concludes and issues associated with the incident are resolved.*

5. *If the principal's investigation into the incident remains open more than 30 days after the date a substantiated incident was reported or issues associated with the incident remain unresolved, the school district, in accordance with the school district's code of student conduct, shall:*

a. *Notify the victim's parent of the availability of the program and offer that parent an opportunity to enroll his or her student in another public school or to request and receive a scholarship to attend an eligible private school, subject to available funding; and*

b. *Provide the victim's parent with a written notification of the result of the principal's investigation of the alleged incident. The parent must provide such notification to the scholarship-funding organization that verifies the student's eligibility.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(f) *Provide a report from an independent certified public accountant who performs the agreed-upon procedures developed under s. 1002.395(6)(o) if the private school receives more than \$250,000 in funds from scholarships awarded under this section in a state fiscal year. A private school subject to this paragraph must annually submit the report by September 15 to the organization that awarded the majority of the school's scholarship funds. The agreed-upon procedures must be con-*

ducted in accordance with attestation standards established by the American Institute of Certified Public Accountants.

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

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

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

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

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

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

(e) Maintain a list of nationally norm-referenced tests identified for purposes of satisfying the testing requirement in paragraph (9)(f). The tests must meet industry standards of quality in accordance with State Board of Education rule.

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

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

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

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

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

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

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

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

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

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

(h) Upon the request of a participating private school, provide at no cost to the school the statewide assessments administered under s.

1008.22 and any related materials for administering the assessments. Students at a private school may be assessed using the statewide assessments if the addition of those students and the school does not cause the state to exceed its contractual caps for the number of students tested and the number of testing sites. The state shall provide the same materials and support to a private school that it provides to a public school. A private school that chooses to administer statewide assessments under s. 1008.22 shall follow the requirements set forth in ss. 1008.22 and 1008.24, rules adopted by the State Board of Education to implement those sections, and district-level testing policies established by the district school board.

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

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

2. Annually, by December 15, report to the Governor, the President of the Senate, and the Speaker of the House of Representatives the department's actions with respect to implementing accountability in the program under this section and s. 1002.421, any substantiated allegations or violations of law or rule by an eligible private school under this program, and the corrective action taken by the department.

(8) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—

(a) The Commissioner of Education:

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

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

a. In making such a determination, the commissioner may consider factors that include, but are not limited to, acts or omissions by an owner or operator which led to a previous denial or revocation of participation in an education scholarship program; an owner's or operator's failure to reimburse the department for scholarship funds improperly received or retained by a school; imposition of a prior criminal sanction related to an owner's or operator's management or operation of an educational institution; imposition of a civil fine or administrative fine, license revocation or suspension, or program eligibility suspension, termination, or revocation related to an owner's or operator's management or operation of an educational institution; or other types of criminal proceedings in which an owner or operator was found guilty of, regardless of ad-

judication, or entered a plea of *nolo contendere* or guilty to, any offense involving fraud, deceit, dishonesty, or moral turpitude.

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

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

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

2. The private school that is adversely affected by the proposed action shall have 15 days after receipt of the notice of proposed action to file with the department’s agency clerk a request for a proceeding pursuant to ss. 120.569 and 120.57. If the private school is entitled to a hearing under s. 120.57(1), the department shall refer the request to the Division of Administrative Hearings.

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

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

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

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

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

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

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

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

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

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

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

(c) Any student participating in the program must comply with the regular attendance requirements of s. 1003.01(13) and remain in attendance throughout the school year unless excused by the school for illness or other good cause.

(d) Each parent and each student has an obligation to the private school to comply with the private school’s published policies.

(e) Upon reasonable notice to the department and the school district, the parent may remove the student from the private school and place the student in a public school in accordance with this section.

(f) The parent must ensure that the student participating in the program takes the norm-referenced assessment offered by the private school. The parent may also choose to have the student participate in the statewide assessments pursuant to s. 1008.22. If the parent requests that the student participating in the program take the statewide assessments pursuant to s. 1008.22 and the private school has not chosen to offer and administer the statewide assessments, the parent is responsible for transporting the student to the assessment site designated by the school district.

(g) Upon receipt of a scholarship warrant, the parent to whom the warrant is made must restrictively endorse the warrant to the private school for deposit into the account of the private school. The parent may not designate any entity or individual associated with the participating private school as the parent’s attorney in fact to endorse a scholarship warrant. A parent who fails to comply with this paragraph forfeits the scholarship.

(10) OBLIGATIONS OF NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS.—An organization may establish scholarships for eligible students by:

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

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

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

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

(11) FUNDING AND PAYMENT.—

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

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

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

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

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

(c) When a student enters the program, the organization must receive all documentation required for the student’s participation, including a copy of the report of the substantiated incident received pursuant to subsection (5) and the private school’s and the student’s fee schedules. The initial payment shall be made after verification of admission acceptance, and subsequent payments shall be made upon verification of continued enrollment and attendance at the private school.

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

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

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

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

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

(12) OBLIGATIONS OF THE AUDITOR GENERAL.—

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

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

(13) SCHOLARSHIP FUNDING TAX CREDITS.—

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

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

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

2. Collect eligible contributions.

3. Using a form provided by the Department of Revenue, which shall include the dealer's or agent's federal employer identification number, remit to an organization on or before the 20th day of each month the total amount of contributions made to that organization and collected during the preceding calendar month.

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

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

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

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

2. If the total amount stolen is \$300 or more, but less than \$20,000, the offense is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

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

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

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

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

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

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

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

(1)(a) A Florida private school participating in the Florida Tax Credit Scholarship Program established pursuant to s. 1002.395 or an educational scholarship program established pursuant to this chapter must comply with all requirements of this section in addition to private school requirements outlined in s. 1002.42, specific requirements identified within respective scholarship program laws, and other provisions of Florida law that apply to private schools.

(b) For purposes of this section, the term "owner or operator" includes an owner, operator, superintendent, or principal of an eligible private

school or a person with equivalent decisionmaking authority over an eligible private school.

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

(h) Employ or contract with teachers who:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) The *failure or refusal inability* of a private school to meet the requirements of this section shall constitute a basis for the ineligibility of the private school to participate in a scholarship program as determined by the department. *Additionally, a private school is ineligible to participate in a state scholarship program under this chapter if the owner or operator of the private school was a debtor in a voluntary or involuntary bankruptcy petition within the most recent 5 years.*

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

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

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

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

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

(9) *The Division of State Fire Marshal shall annually provide to the department a fire safety inspection report, prepared by the local fire departments or by entities with whom they contract to perform fire safety inspections of private schools, for each private school that participates in a state scholarship program under this chapter.*

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

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

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

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

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

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

(b) *Notwithstanding any other provision of law, if a private prekindergarten provider has been cited for a class I violation, as defined by rule, the coalition may refuse to contract with the provider.*

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

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

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

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

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

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

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

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

Section 20. Paragraph (f) of subsection (1) of section 1003.26, Florida Statutes, is amended to read:

1003.26 Enforcement of school attendance.—The Legislature finds that poor academic performance is associated with nonattendance and that school districts must take an active role in promoting and enforcing attendance as a means of improving student performance. It is the policy of the state that each district school superintendent be responsible for enforcing school attendance of all students subject to the compulsory school age in the school district and supporting enforcement of school attendance by local law enforcement agencies. The responsibility includes recommending policies and procedures to the district school board that require public schools to respond in a timely manner to every unexcused absence, and every absence for which the reason is unknown, of students enrolled in the schools. District school board policies shall require the parent of a student to justify each absence of the student, and that justification will be evaluated based on adopted district school board policies that define excused and unexcused absences. The policies must provide that public schools track excused and unexcused absences and contact the home in the case of an unexcused absence from school, or an absence from school for which the reason is unknown, to prevent the development of patterns of nonattendance. The Legislature finds that early intervention in school attendance is the most effective way of producing good attendance habits that will lead to improved student learning and achievement. Each public school shall implement the following steps to promote and enforce regular school attendance:

(1) CONTACT, REFER, AND ENFORCE.—

(f1). If the parent of a child who has been identified as exhibiting a pattern of nonattendance enrolls the child in a home education program pursuant to chapter 1002, the district school superintendent shall provide the parent a copy of s. 1002.41 and the accountability requirements of this paragraph. The district school superintendent shall also refer the parent to a home education review committee composed of the district contact for home education programs and at least two home educators selected by the parent from a district list of all home educators who have conducted a home education program for at least 3 years and who have indicated a willingness to serve on the committee. The home education review committee shall review the portfolio of the student, as defined by s. 1002.41, every 30 days during the district’s regular school terms until the committee is satisfied that the home education program is in compliance with s. 1002.41(1)(b). The first portfolio review must occur within the first 30 calendar days of the establishment of the program. The provisions of subparagraph 2. do not apply once the committee determines the home education program is in compliance with s. 1002.41(1)(b).

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

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

1003.41 Next Generation Sunshine State Standards.—

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

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

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

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

1003.4282 Requirements for a standard high school diploma.—

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

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

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

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

1. *Types of bank accounts offered, opening and managing a bank account, and assessing the quality of a depository institution’s services.*
2. *Balancing a checkbook.*
3. *Basic principles of money management, such as spending, credit, credit scores, and managing debt, including retail and credit card debt.*
4. *Completing a loan application.*
5. *Receiving an inheritance and related implications.*
6. *Basic principles of personal insurance policies.*
7. *Computing federal income taxes.*
8. *Local tax assessments.*
9. *Computing interest rates by various mechanisms.*
10. *Simple contracts.*
11. *Contesting an incorrect billing statement.*
12. *Types of savings and investments.*
13. *State and federal laws concerning finance.*

Section 23. Section 1003.457, Florida Statutes, is created to read:

1003.457 Instruction in cardiopulmonary resuscitation.—

(1) *Each school district shall provide instruction in cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator. Students shall study and practice the psychomotor skills associated with performing CPR at least once before graduating from high school. The instruction shall be a part of the physical education curriculum or another required curriculum selected by the school district.*

(2) *The instruction shall be based on an instructional program established by:*

- (a) *The American Heart Association;*
- (b) *The American Red Cross; or*
- (c) *Another nationally recognized program that uses the most current evidence-based emergency cardiovascular care guidelines.*

(3) *A student with a disability, as defined in s. 1007.02, is exempt from the requirements of this section.*

Section 24. Subsection (3) of section 1003.453, Florida Statutes, is amended to read:

1003.453 School wellness and physical education policies; nutrition guidelines.—

(3) *School districts are encouraged to provide basic training in first aid, including cardiopulmonary resuscitation, for all students, beginning in grade 6 and every 2 years thereafter. Private and public partnerships for providing training or necessary funding are encouraged.*

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

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

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

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

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

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

1. *The statewide toll-free telephone number of the central abuse hotline as provided in chapter 39;*
2. *Instructions to call 911 for emergencies; and*
3. *Directions for accessing the Department of Children and Families Internet website for more information on reporting abuse, neglect, and exploitation.*

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

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

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

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

(4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

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

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

1. Weapon-use, ~~and~~ *hostage, and active shooter situations. The active shooter situation training for each school must be conducted by the law enforcement agency or agencies that are designated as first responders to the school's campus.*
2. Hazardous materials or toxic chemical spills.
3. Weather emergencies, including hurricanes, tornadoes, and severe storms.
4. Exposure as a result of a manmade emergency.

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

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

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

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

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

1006.12 School resource officers and school safety officers.—

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

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

(b) School resource officers shall abide by district school board policies and shall consult with and coordinate activities through the school

principal, but shall be responsible to the law enforcement agency in all matters relating to employment, subject to agreements between a district school board and a law enforcement agency. Activities conducted by the school resource officer which are part of the regular instructional program of the school shall be under the direction of the school principal.

(2)

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

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

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

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

~~(1)(2)~~ *PURPOSE.*—At a minimum, ~~structured collegiate high school~~ programs must include an option for public school students in grade 11 or grade 12 participating in the *structured* program, for at least 1 full school year, to earn CAPE industry certifications pursuant to s. 1008.44, and to successfully complete *at least 30 credit hours* through the dual enrollment program under s. 1007.271. *The structured program must prioritize dual enrollment courses that are applicable toward general education core courses or common prerequisite course requirements under s. 1007.25 over dual enrollment courses applicable as electives toward at least the first year of college for an associate degree or baccalaureate degree while enrolled in the structured program. A district school board may not limit the number of eligible public school students who may enroll in such structured programs.*

~~(2)(3)~~ *REQUIRED STRUCTURED PROGRAM CONTRACTS.*—

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

(b) The contract must:

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

~~2.(b)~~ Describe the ~~structured collegiate high school~~ program, including a list of the meta-major academic pathways approved pursuant to s. 1008.30(4), which are available to participating students through the partner Florida College System institution or other eligible partner postsecondary institutions; the delineation of courses that must, at a minimum, include general education core courses and common prerequisite course requirements pursuant to s. 1007.25; ~~and~~ industry certifications offered, including online course availability; the high school and college credits earned for each postsecondary course completed and industry certification earned; student eligibility criteria; and the enrollment process and relevant deadlines;—

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

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

5.~~(e)~~ Identify student advising services and progress monitoring mechanisms;-

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

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

(3) *STUDENT PERFORMANCE CONTRACT AND NOTIFICATION.*—

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

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

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

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

~~(4)(5)~~ *AUTHORIZED STRUCTURED PROGRAM CONTRACTS.*—

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

(5) *FUNDING.*—

(a)~~(6)~~ The structured ~~collegiate high school~~ program shall be funded pursuant to ss. 1007.271 and 1011.62. The State Board of Education shall enforce compliance with this section by withholding the transfer of funds for the school districts ~~and the Florida College System institutions~~ in accordance with s. 1008.32. Annually, by December 31, the State Board of Education shall enforce compliance with this section by withholding the transfer of funds for the Florida College System institutions in accordance with s. 1008.32

(b) A student who enrolls in the structured program and successfully completes at least 30 college credit hours during a school year through the dual enrollment program under s. 1007.271 generates a 0.5 full-time equivalent (FTE) bonus. A student who enrolls in the structured program and successfully completes an additional 30 college credit hours

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

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

(6) *REPORTING REQUIREMENTS.*—

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

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

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

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

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

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

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

1008.33 Authority to enforce public school improvement.—

(3)

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

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

- a. Improvement planning;
- b. Leadership quality improvement;
- c. Educator quality improvement;
- d. Professional development;
- e. Curriculum review, pacing, and alignment across grade levels to improve background knowledge in social studies, science, and the arts; and
- f. The use of continuous improvement and monitoring plans and processes.

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

(4)(a) The state board shall apply intensive intervention and support strategies tailored to the needs of schools earning two consecutive grades of “D” or a grade of “F.” In the first full school year after a school initially earns two consecutive grades of “D” or a grade of “F,” the school district must immediately implement intervention and support strategies prescribed in rule under paragraph (3)(c) and, by September 1, provide the department with the memorandum of understanding negotiated pursuant to s. 1001.42(21) and, by October 1, a district-managed turnaround plan for approval by the state board. *The district-managed turnaround plan may include a proposal for the district to implement an extended school day, a summer program, or a combination of an extended school day and summer program.* Upon approval by the state board, the school district must implement the plan for the remainder of the school year and continue the plan for 1 full school year. The state board may allow a school an additional year of implementation before the school must implement a turnaround option required under paragraph (b) if it determines that the school is likely to improve to a grade of “C” or higher after the first full school year of implementation.

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

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

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

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

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

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

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

(II) *Gives priority enrollment to students who are enrolled in, or are eligible to attend and are living in the attendance area of, the persistently low-performing school that the school of hope operates, consistent with the enrollment lottery exemption provided under s. 1002.333(5)(c); and*

(III) *Meets the requirements of its performance-based agreement pursuant to s. 1002.333.*

4. *Implement a franchise model school in which a highly effective principal, pursuant to s. 1012.34, leads the persistently low-performing school in addition to the principal’s currently assigned school. The franchise model school principal may allocate resources and personnel between the schools he or she leads. The persistently low-performing school is eligible for funding from the hope supplemental services allocation established under s. 1011.62(16).*

(c) Implementation of the turnaround option is no longer required if the school improves to a grade of “C” or higher.

(d) If a school ~~earning two consecutive grades of “D” or a grade of “F”~~ does not improve to a grade of “C” or higher after 2 full school years of implementing the turnaround option selected by the school district under paragraph (b), the school district must implement another turnaround option. Implementation of the turnaround option must begin the school year following the implementation period of the existing turnaround option, unless the state board determines that the school is likely to improve to a grade of “C” or higher if additional time is provided to implement the existing turnaround option.

Section 30. Present subsections (16) and (17) of section 1011.62, Florida Statutes, are redesignated as subsections (19) and (20), respectively, new subsections (16) and (17) and subsection (18) are added to that section, and paragraph (a) of subsection (4) and subsection (14) of that section are amended, to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(a) *Estimated taxable value calculations.—*

1.a. Not later than 2 working days before July 19, the Department of Revenue shall certify to the Commissioner of Education its most recent estimate of the taxable value for school purposes in each school district and the total for all school districts in the state for the current calendar year based on the latest available data obtained from the local property appraisers. The value certified shall be the taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraphs (c) and (d), or an assessment roll change required by final judicial decisions as specified in paragraph (19)(b) ~~(16)(b)~~. Not later than July 19, the Commissioner of Education shall compute a millage rate, rounded to the next highest one one-thousandth of a mill, which, when applied to 96 percent of the estimated state total taxable value for school purposes, would generate the prescribed aggregate required local effort for that year for all districts. The Commissioner of Education shall certify to each district school board the millage rate, computed as prescribed in this subparagraph, as the minimum millage rate necessary to provide the district required local effort for that year.

b. The General Appropriations Act shall direct the computation of the statewide adjusted aggregate amount for required local effort for all school districts collectively from ad valorem taxes to ensure that no school district’s revenue from required local effort millage will produce more than 90 percent of the district’s total Florida Education Finance Program calculation as calculated and adopted by the Legislature, and the adjustment of the required local effort millage rate of each district that produces more than 90 percent of its total Florida Education Finance Program entitlement to a level that will produce only 90 percent of its total Florida Education Finance Program entitlement in the July calculation.

2. On the same date as the certification in sub-subparagraph 1.a., the Department of Revenue shall certify to the Commissioner of Education for each district:

a. Each year for which the property appraiser has certified the taxable value pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a.

b. For each year identified in sub-subparagraph a., the taxable value certified by the appraiser pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a. This is the certification that reflects all final administrative actions of the value adjustment board.

(14) **QUALITY ASSURANCE GUARANTEE.**—The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to each school district. The guarantee shall be calculated from prior year base funding per unweighted FTE student which shall include the adjusted FTE dollars as provided in subsection (19) ~~(16)~~, quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection (19) ~~(16)~~ and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

(16) **HOPE SUPPLEMENTAL SERVICES ALLOCATION.**—*The hope supplemental services allocation is created to provide district-managed turnaround schools, as required under s. 1008.33(4)(a), charter schools authorized under s. 1008.33(4)(b)2., district-managed charter schools authorized under s. 1008.33(4)(b)3.a., schools of hope authorized under s. 1008.33(4)(b)3.b., and franchise model schools as authorized under s. 1008.33(4)(b)4., with funds to offer services designed to improve the overall academic and community welfare of the schools' students and their families.*

(a) *Services funded by the allocation may include, but are not limited to, tutorial and after-school programs, student counseling, nutrition education, and parental counseling. In addition, services may also include models that develop a culture that encourages students to complete high school and to attend college or career training, set high academic expectations, inspire character development, and include an extended school day and school year.*

(b) *Prior to distribution of the allocation, a school district, for a district turnaround school and persistently low-performing schools that use a franchise model; a hope operator, for a school of hope; or the charter school governing board for a charter school, as applicable, shall develop and submit a plan for implementation to its respective governing body for approval no later than August 1 of the fiscal year.*

(c) *At a minimum, the plans required under paragraph (b) must:*

1. *Establish comprehensive support services that develop family and community partnerships;*
2. *Establish clearly defined and measurable high academic and character standards;*
3. *Increase parental involvement and engagement in the child's education;*
4. *Describe how instructional personnel will be identified, recruited, retained, and rewarded;*
5. *Provide professional development that focuses on academic rigor, direct instruction, and creating high academic and character standards; and*
6. *Provide focused instruction to improve student academic proficiency, which may include additional instruction time beyond the normal school day or school year.*

(d) *Each school district and hope operator shall submit approved plans to the commissioner by September 1 of each fiscal year.*

(e) *For the 2018-2019 fiscal year, a school that is selected to receive funding in the 2017-2018 fiscal year pursuant to s. 1002.333(10)(c) shall receive \$2,000 per FTE. A district-managed turnaround school required under s. 1008.33(4)(a), charter school authorized under s. 1008.33(4)(b) 2., district-managed charter school authorized under s. 1008.33(4)(b) 3.a., school of hope authorized under s. 1008.33(4)(b)3.b., and franchise model school authorized under s. 1008.33(4)(b)4. are eligible for the remaining funds based on the school's unweighted FTE, up to \$2,000 per FTE or as provided in the General Appropriations Act.*

(f) *For the 2019-2020 fiscal year and thereafter, each school district's allocation shall be based on the unweighted FTE student enrollment at the eligible schools and a per-FTE funding amount of up to \$2,000 per FTE or as provided in the General Appropriations Act. If the calculated funds for unweighted FTE student enrollment at the eligible schools exceed the per-FTE funds appropriated, the allocation of funds to each school district must be prorated based on each school district's share of the total unweighted FTE student enrollment for the eligible schools.*

(17) **MENTAL HEALTH ASSISTANCE ALLOCATION.**—*The mental health assistance allocation is created to provide supplemental funding to assist school districts in establishing or expanding comprehensive school-based mental health programs that increase awareness of mental health issues among children and school-age youth; train educators and other school staff in detecting and responding to mental health issues; and connect children, youth, and families who may experience behavioral health issues with appropriate services. These funds may be allocated annually in the General Appropriations Act to each eligible school district and developmental research school based on each entity's proportionate share of Florida Education Finance Program base funding. The district funding allocation must include a minimum amount as specified in the General Appropriations Act. Upon submission and approval of a plan that includes the elements specified in paragraph (b), charter schools are also entitled to a proportionate share of district funding for this program. The allocated funds may not supplant funds that are provided for this purpose from other operating funds and may not be used to increase salaries or provide bonuses.*

(a) *Prior to the distribution of the allocation:*

1. *The district must annually develop and submit a detailed plan outlining the local program and planned expenditures to the district school board for approval.*

2. *A charter school must annually develop and submit a detailed plan outlining the local program and planned expenditures of the funds in the plan to its governing body for approval. After the plan is approved by the governing body, it must be provided to its school district for submission to the commissioner.*

(b) *The plans required under paragraph (a) must include, at a minimum, all of the following elements:*

1. *A collaborative effort or partnership between the school district and at least one local community program or agency involved in mental health to provide or to improve prevention, diagnosis, and treatment services for students;*
2. *Programs to assist students in dealing with bullying, trauma, and violence;*
3. *Strategies or programs to reduce the likelihood of at-risk students developing social, emotional, or behavioral health problems or substance use disorders;*
4. *Strategies to improve the early identification of social, emotional, or behavioral problems or substance use disorders and to improve the provision of early intervention services;*
5. *Strategies to enhance the availability of school-based crisis intervention services and appropriate referrals for students in need of mental health services; and*
6. *Training opportunities for school personnel in the techniques and supports needed to identify students who have trauma histories and who have or are at risk of having a mental illness, and in the use of referral mechanisms that effectively link such students to appropriate treatment and intervention services in the school and in the community.*

(c) *The districts shall submit approved plans to the commissioner by August 1 of each fiscal year.*

(d) *Beginning September 30, 2019, and by each September 30 thereafter, each entity that receives an allocation under this subsection shall submit to the commissioner, in a format prescribed by the department, a final report on its program outcomes and its expenditures for each element of the program.*

(18) *FUNDING COMPRESSION ALLOCATION.*—*The Legislature may provide an annual funding compression allocation in the General Appropriations Act. The allocation is created to provide additional funding to school districts and developmental research schools whose total funds per FTE in the prior year were less than the statewide average. Using the most recent prior year FEFP calculation for each eligible school district, the total funds per FTE shall be subtracted from the state average funds per FTE, not including any adjustments made pursuant to paragraph (19)(b). The resulting funds per FTE difference, or a portion thereof, as designated in the General Appropriations Act, shall then be multiplied by the school district's total unweighted FTE to provide the allocation. If the calculated funds are greater than the amount included in the General Appropriations Act, they must be prorated to the appropriation amount based on each participating school district's share.*

Section 31. Subsection (5) of section 1011.69, Florida Statutes, is amended to read:

1011.69 Equity in School-Level Funding Act.—

(5) After providing Title I, Part A, Basic funds to schools above the 75 percent poverty threshold, *which may include high schools above the 50 percent threshold as allowed by federal law*, school districts shall provide any remaining Title I, Part A, Basic funds directly to all eligible schools as provided in this subsection. For purposes of this subsection, an eligible school is a school that is eligible to receive Title I funds, including a charter school. The threshold for identifying eligible schools may not exceed the threshold established by a school district for the 2016-2017 school year or the statewide percentage of economically disadvantaged students, as determined annually.

(a) Prior to the allocation of Title I funds to eligible schools, a school district may withhold funds only as follows:

1. One percent for parent involvement, in addition to the one percent the district must reserve under federal law for allocations to eligible schools for parent involvement;
2. A necessary and reasonable amount for administration;
3. ~~which includes~~ The district's approved indirect cost rate, ~~not to exceed a total of 8 percent; and~~
4. ~~A reasonable and necessary amount to provide:~~
 - a. Homeless programs;
 - b. Delinquent and neglected programs;
 - c. Prekindergarten programs and activities;
 - d. Private school equitable services; and
 - e. Transportation for foster care children to their school of origin or choice programs; ~~and-~~
5. A necessary and reasonable amount for eligible schools to provide:
 - a. Extended learning opportunities, such as summer school, before-school and after-school programs, and additional class periods of instruction during the school day; and
 - b. Supplemental academic and enrichment services, staff development, and planning and curriculum, as well as wrap-around services.

(b) All remaining Title I funds shall be distributed to all eligible schools in accordance with federal law and regulation. *To maximize the efficient use of resources, school districts may allow eligible schools, not including charter schools, to* ~~An eligible school may use funds under this subsection for district-level to participate in discretionary~~ educational services provided by the school district.

Section 32. Subsection (5) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.—

(5) ~~Effective July 1, 2008,~~ A school district may expend, subject to ~~the provisions of~~ s. 200.065, up to \$150 ~~\$100~~ per unweighted full-time equivalent student from the revenue generated by the millage levy authorized by subsection (2) to fund, in addition to expenditures authorized in paragraphs (2)(a)-(j), expenses for the following:

(a) The purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.

(b) Payment of the cost of premiums, as defined in s. 627.403, for property and casualty insurance necessary to insure school district educational and ancillary plants. As used in this paragraph, casualty insurance has the same meaning as in s. 624.605(1)(d), (f), (g), (h), and (m). Operating revenues that are made available through the payment of property and casualty insurance premiums from revenues generated under this subsection may be expended only for nonrecurring operational expenditures of the school district.

Section 33. Section 1012.315, Florida Statutes, is amended to read:

1012.315 Disqualification from employment.—A person is ineligible for educator certification, and instructional personnel and school administrators, as defined in s. 1012.01, are ineligible for employment in any position that requires direct contact with students in a district school system, charter school, or private school that accepts scholarship students under s. 1002.385, s. 1002.39, ~~or~~ s. 1002.395, or another state scholarship program under chapter 1002, if the person, instructional personnel, or school administrator has been convicted of:

(1) Any felony offense prohibited under any of the following statutes:

- (a) Section 393.135, relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.
- (b) Section 394.4593, relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.
- (c) Section 415.111, relating to adult abuse, neglect, or exploitation of aged persons or disabled adults.
- (d) Section 782.04, relating to murder.
- (e) Section 782.07, relating to manslaughter, aggravated manslaughter of an elderly person or disabled adult, aggravated manslaughter of a child, or aggravated manslaughter of an officer, a firefighter, an emergency medical technician, or a paramedic.
- (f) Section 784.021, relating to aggravated assault.
- (g) Section 784.045, relating to aggravated battery.
- (h) Section 784.075, relating to battery on a detention or commitment facility staff member or a juvenile probation officer.
- (i) Section 787.01, relating to kidnapping.
- (j) Section 787.02, relating to false imprisonment.
- (k) Section 787.025, relating to luring or enticing a child.
- (l) Section 787.04(2), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending custody proceedings.
- (m) Section 787.04(3), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending dependency proceedings or proceedings concerning alleged abuse or neglect of a minor.
- (n) Section 790.115(1), relating to exhibiting firearms or weapons at a school-sponsored event, on school property, or within 1,000 feet of a school.
- (o) Section 790.115(2)(b), relating to possessing an electric weapon or device, destructive device, or other weapon at a school-sponsored event or on school property.
- (p) Section 794.011, relating to sexual battery.

- (q) Former s. 794.041, relating to sexual activity with or solicitation of a child by a person in familial or custodial authority.
- (r) Section 794.05, relating to unlawful sexual activity with certain minors.
- (s) Section 794.08, relating to female genital mutilation.
- (t) Chapter 796, relating to prostitution.
- (u) Chapter 800, relating to lewdness and indecent exposure.
- (v) Section 806.01, relating to arson.
- (w) Section 810.14, relating to voyeurism.
- (x) Section 810.145, relating to video voyeurism.
- (y) Section 812.014(6), relating to coordinating the commission of theft in excess of \$3,000.
- (z) Section 812.0145, relating to theft from persons 65 years of age or older.
- (aa) Section 812.019, relating to dealing in stolen property.
- (bb) Section 812.13, relating to robbery.
- (cc) Section 812.131, relating to robbery by sudden snatching.
- (dd) Section 812.133, relating to carjacking.
- (ee) Section 812.135, relating to home-invasion robbery.
- (ff) Section 817.563, relating to fraudulent sale of controlled substances.
- (gg) Section 825.102, relating to abuse, aggravated abuse, or neglect of an elderly person or disabled adult.
- (hh) Section 825.103, relating to exploitation of an elderly person or disabled adult.
- (ii) Section 825.1025, relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled person.
- (jj) Section 826.04, relating to incest.
- (kk) Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child.
- (ll) Section 827.04, relating to contributing to the delinquency or dependency of a child.
- (mm) Section 827.071, relating to sexual performance by a child.
- (nn) Section 843.01, relating to resisting arrest with violence.
- (oo) Chapter 847, relating to obscenity.
- (pp) Section 874.05, relating to causing, encouraging, soliciting, or recruiting another to join a criminal street gang.
- (qq) Chapter 893, relating to drug abuse prevention and control, if the offense was a felony of the second degree or greater severity.
- (rr) Section 916.1075, relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.
- (ss) Section 944.47, relating to introduction, removal, or possession of contraband at a correctional facility.
- (tt) Section 985.701, relating to sexual misconduct in juvenile justice programs.
- (uu) Section 985.711, relating to introduction, removal, or possession of contraband at a juvenile detention facility or commitment program.
- (2) Any misdemeanor offense prohibited under any of the following statutes:

- (a) Section 784.03, relating to battery, if the victim of the offense was a minor.
- (b) Section 787.025, relating to luring or enticing a child.
- (3) Any criminal act committed in another state or under federal law which, if committed in this state, constitutes an offense prohibited under any statute listed in subsection (1) or subsection (2).
- (4) Any delinquent act committed in this state or any delinquent or criminal act committed in another state or under federal law which, if committed in this state, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under s. 943.0435(1)(h)1.d.

Section 34. Paragraphs (b) and (c) of subsection (3) of section 1012.731, Florida Statutes, are amended to read:

1012.731 The Florida Best and Brightest Teacher Scholarship Program.—

- (3)
- (b)1. In order to demonstrate eligibility for an award, an eligible classroom teacher must submit to the school district, no later than November 1, an official record of his or her qualifying assessment score and, beginning with the 2020-2021 school year, an official transcript demonstrating that he or she graduated cum laude or higher with a baccalaureate degree, if applicable. Once a classroom teacher is deemed eligible by the school district, the teacher shall remain eligible as long as he or she remains employed by the school district as a classroom teacher at the time of the award and receives an annual performance evaluation rating of highly effective pursuant to s. 1012.34 or is evaluated as highly effective based on a commissioner-approved student learning growth formula pursuant to s. 1012.34(8) for the 2019-2020 school year or thereafter.

2. *A school district employee who, in the prior school year, was rated highly effective and met the eligibility requirements under this section as a classroom teacher, is eligible to receive a scholarship award during the current school year if he or she maintains employment with the school district.*

~~(c) Notwithstanding the requirements of this subsection, for the 2017-2018, 2018-2019, and 2019-2020 school years, any classroom teacher who:~~

~~1. Was evaluated as highly effective pursuant to s. 1012.34 in the school year immediately preceding the year in which the scholarship will be awarded shall receive a scholarship of \$1200, including a classroom teacher who received an award pursuant to paragraph (a).~~

~~2. Was evaluated as effective pursuant to s. 1012.34 in the school year immediately preceding the year in which the scholarship will be awarded a scholarship of up to \$800. If the number of eligible classroom teachers under this subparagraph exceeds the total allocation, the department shall prorate the per teacher scholarship amount.~~

~~This paragraph expires July 1, 2020.~~

Section 35. Subsections (2), (3), and (4) of section 1012.732, Florida Statutes, are amended to read:

1012.732 The Florida Best and Brightest Principal Scholarship Program.—

(2) There is created the Florida Best and Brightest Principal Scholarship Program to be administered by the Department of Education. The program shall provide categorical funding for scholarships to be awarded to school principals, as defined in s. 1012.01(3)(c)1., who are serving as a franchise model school principal or who have recruited and retained a high percentage of best and brightest teachers.

(3)(a) A school principal identified pursuant to s. 1012.731(4)(c) is eligible to receive a scholarship under this section if he or she has served as school principal at his or her school for at least 2 consecutive school years including the current school year and his or her school has a ratio of best and brightest teachers to other classroom teachers that is at the 80th percentile or higher for schools within the same grade group,

statewide, including elementary schools, middle schools, high schools, and schools with a combination of grade levels.

(b) *A principal of a franchise model school, as defined in s. 1002.334, is eligible to receive a scholarship under this section.*

(4) Annually, by February 1, the department shall identify eligible school principals and disburse funds to each school district for each eligible school principal to receive a scholarship.

(a) A scholarship of \$10,000 ~~\$5,000~~ must be awarded to each franchise model school principal who is ~~every~~ eligible under paragraph (3)(b).

(b) *A scholarship of \$5,000 must be awarded to each school principal assigned to a Title I school and a scholarship of \$4,000 to each ~~every~~ eligible school principal who is not assigned to a Title I school and who is eligible under paragraph (3)(a).*

Section 36. Paragraph (e) of subsection (1) of section 1012.796, Florida Statutes, is amended to read:

1012.796 Complaints against teachers and administrators; procedure; penalties.—

(1)

(e) If allegations arise against an employee who is certified under s. 1012.56 and employed in an educator-certificated position in any public school, charter school or governing board thereof, or private school that accepts scholarship students under s. 1002.385, s. 1002.39, ~~or~~ s. 1002.395, or another state scholarship program under chapter 1002, the school shall file in writing with the department a legally sufficient complaint within 30 days after the date on which the subject matter of the complaint came to the attention of the school. A complaint is legally sufficient if it contains ultimate facts that show a violation has occurred as provided in s. 1012.795 and defined by rule of the State Board of Education. The school shall include all known information relating to the complaint with the filing of the complaint. This paragraph does not limit or restrict the power and duty of the department to investigate complaints, regardless of the school's untimely filing, or failure to file, complaints and followup reports.

Section 37. Present paragraphs (a) through (d) of subsection (1) of section 1013.31, Florida Statutes, are redesignated as paragraphs (b) through (e), respectively, and a new paragraph (a) is added to that subsection, to read:

1013.31 Educational plant survey; localized need assessment; PECO project funding.—

(1) At least every 5 years, each board shall arrange for an educational plant survey, to aid in formulating plans for housing the educational program and student population, faculty, administrators, staff, and auxiliary and ancillary services of the district or campus, including consideration of the local comprehensive plan. The Department of Education shall document the need for additional career and adult education programs and the continuation of existing programs before facility construction or renovation related to career or adult education may be included in the educational plant survey of a school district or Florida College System institution that delivers career or adult education programs. Information used by the Department of Education to establish facility needs must include, but need not be limited to, labor market data, needs analysis, and information submitted by the school district or Florida College System institution.

(a) *Educational plant survey and localized need assessment for capital outlay purposes.—A district may only use funds from the following sources for educational, auxiliary, and ancillary plant capital outlay purposes without needing a survey recommendation:*

1. *The local capital outlay improvement fund, consisting of funds that come from and are a part of the district's basic operating budget;*

2. *If a board decides to build an educational, auxiliary, or ancillary facility without a survey recommendation and the taxpayers approve a bond referendum, the voted bond referendum;*

3. *One-half cent sales surtax revenue;*

4. *One cent local governmental surtax revenue;*

5. *Impact fees; and*

6. *Private gifts or donations.*

Section 38. Paragraph (e) is added to subsection (2) of section 1013.385, Florida Statutes, to read:

1013.385 School district construction flexibility.—

(2) A resolution adopted under this section may propose implementation of exceptions to requirements of the uniform statewide building code for the planning and construction of public educational and ancillary plants adopted pursuant to ss. 553.73 and 1013.37 relating to:

(e) *Any other provisions that limit the ability of a school to operate in a facility on the same basis as a charter school pursuant to s. 1002.33(18) if the regional planning council determines that there is sufficient shelter capacity within the school district as documented in the Statewide Emergency Shelter Plan.*

Section 39. Subsection (3) of section 1013.62, Florida Statutes, is amended, and paragraph (c) is added to subsection (1) of that section, to read:

1013.62 Charter schools capital outlay funding.—

(1) Charter school capital outlay funding shall consist of revenue resulting from the discretionary millage authorized in s. 1011.71(2) and state funds when such funds are appropriated in the General Appropriations Act.

(c) *It is the intent of the Legislature that the public interest be protected by prohibiting personal financial enrichment by owners, operators, managers, real estate developers, and other affiliated parties of charter schools. Therefore, a charter school is not eligible for a funding allocation unless the chair of the governing board and the chief administrative officer of the charter school annually certify under oath that the funds will be used solely and exclusively for constructing, renovating, or improving charter school facilities that are:*

1. *Owned by a school district, a political subdivision of the state, a municipality, a Florida College System institution, or a state university;*

2. *Owned by an organization that is qualified as an exempt organization under s. 501(c)(3) of the Internal Revenue Code whose articles of incorporation specify that, upon the organization's dissolution, the subject property will be transferred to a school district, a political subdivision of the state, a municipality, a Florida College System institution, or a state university; or*

3. *Owned by and leased, at a fair market value in the school district in which the charter school is located, from a person or entity that is not an affiliated party of the charter school. For the purposes of this subparagraph, the term "affiliated party of the charter school" means the applicant for the charter school pursuant to s. 1002.33; the governing board of the charter school or a member of the governing board; the charter school owner; the charter school principal; an employee of the charter school; an independent contractor of the charter school or the governing board of the charter school; a relative, as defined in s. 1002.33(24)(a)2., of a charter school governing board member, a charter school owner, a charter school principal, a charter school employee, or an independent contractor of a charter school or charter school governing board; a subsidiary corporation, a service corporation, an affiliated corporation, a parent corporation, a limited liability company, a limited partnership, a trust, a partnership, or a related party that, individually or through one or more entities, shares common ownership or control and directly or indirectly manages, administers, controls, or oversees the operation of the charter school; or any person or entity, individually or through one or more entities that share common ownership, which directly or indirectly manages, administers, controls, or oversees the operation of any of the foregoing.*

(3) If the school board levies the discretionary millage authorized in s. 1011.71(2), the department shall use the following calculation methodology to determine the amount of revenue that a school district must distribute to each eligible charter school:

(a) Reduce the total discretionary millage revenue by the school district's annual debt service obligation incurred as of March 1, 2017, and any amount of participation requirement pursuant to s. 1013.64(2)(a)8. that is being satisfied by revenues raised by the discretionary millage.

(b) Divide the school district's adjusted discretionary millage revenue by the district's total capital outlay full-time equivalent membership and the total number of unweighted full-time equivalent students of each eligible charter school to determine a capital outlay allocation per full-time equivalent student.

(c) Multiply the capital outlay allocation per full-time equivalent student by the total number of full-time equivalent students for all of each eligible charter schools within the district school to determine the total charter school capital outlay allocation for each district charter school.

(d) If applicable, reduce the capital outlay allocation identified in paragraph (c) by the total amount of state funds allocated pursuant to subsection (2) to all each eligible charter schools within a district school in subsection (2) to determine the net total maximum calculated capital outlay allocation from local funds. If state funds are not allocated pursuant to subsection (2), the amount determined in paragraph (c) is equal to the net total calculated capital outlay allocation from local funds for each district.

(e) For each charter school within each district, the net capital outlay amount from local funds shall be calculated in the same manner as the state funds in paragraphs (2)(a)-(d), except that the base charter school per weighted FTE allocation amount shall be determined by dividing the net total capital outlay amount from local funds by the total weighted FTE for all eligible charter schools within the district. The per weighted FTE allocation amount from local funds shall be multiplied by the weighted FTE for each charter school to determine each charter school's capital outlay allocation from local funds.

(f) School districts shall distribute capital outlay funds to charter schools no later than February 1 of each year, beginning on February 1, 2018, for the 2017-2018 fiscal year.

Section 40. Effective July 1, 2019, subsection (13) of section 212.08, Florida Statutes, is amended to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(13) No transactions shall be exempt from the tax imposed by this chapter except those expressly exempted herein. All laws granting tax exemptions, to the extent they may be inconsistent or in conflict with this chapter, including, but not limited to, the following designated laws, shall yield to and be superseded by the provisions of this subsection: ss. 125.019, 153.76, 154.2331, 159.15, 159.31, 159.50, 159.708, 163.385, 163.395, 215.76, 243.33, 315.11, 348.65, 348.762, 349.13, 403.1834, and 616.07; and ~~622.09~~, and the following Laws of Florida, acts of the year indicated: s. 31, chapter 30843, 1955; s. 19, chapter 30845, 1955; s. 12, chapter 30927, 1955; s. 8, chapter 31179, 1955; s. 15, chapter 31263, 1955; s. 13, chapter 31343, 1955; s. 16, chapter 59-1653; s. 13, chapter 59-1356; s. 12, chapter 61-2261; s. 19, chapter 61-2754; s. 10, chapter 61-2686; s. 11, chapter 63-1643; s. 11, chapter 65-1274; s. 16, chapter 67-1446; and s. 10, chapter 67-1681. This subsection does not supersede the authority of a local government to adopt financial and local government incentives pursuant to s. 163.2517.

Section 41. For the 2018-2019 fiscal year, the sum of \$2,596,560 in recurring funds from the General Revenue Fund and the sum of \$392,134 in nonrecurring funds from the General Revenue Fund are appropriated to the Department of Education to implement this act as follows: the sum of \$2 million in recurring funds shall be used to implement the Hope Scholarship Program created pursuant to s. 1002.40, Florida Statutes, the sum of \$596,560 in recurring funds and \$142,134 in nonrecurring funds shall be used to implement the additional oversight requirements pursuant to s. 1002.421, Florida Statutes, and the sum of \$250,000 in nonrecurring funds shall be used to issue a competitive grant award pursuant to s. 1002.395(9), Florida Statutes.

Section 42. The Department of Revenue may, and all conditions are deemed met to, adopt emergency rules pursuant to ss. 120.536(1) and 120.54, Florida Statutes, to administer this act.

Section 43. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2018

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to education; creating s. 212.1832, F.S.; authorizing certain persons to receive a tax credit for certain contributions to eligible nonprofit scholarship-funding organizations for the Hope Scholarship Program; providing requirements for motor vehicle dealers; requiring the Department of Revenue to disregard certain tax credits for specified purposes; providing that specified provisions apply to certain provisions; amending s. 213.053, F.S.; authorizing the Department of Revenue to share specified information with eligible nonprofit scholarship-funding organizations; providing that certain requirements apply to such organizations; repealing ch. 623, F.S., relating to private school corporations, on a specified date; amending s. 1001.10, F.S.; revising the private schools to which the Department of Education is required to provide technical assistance and authorized staff; amending s. 1001.4205, F.S.; authorizing a member of the State Legislature to visit any district school, including any charter school, in his or her legislative district; amending s. 1002.01, F.S.; revising and defining terms; amending s. 1002.20; updating educational options and terminology; amending s. 1002.33, F.S.; extending the period of time for which a charter school may defer its opening for specified reasons; amending s. 1002.331, F.S.; revising the requirements for a charter school to be considered a high-performing charter school; amending s. 1002.333, F.S.; redefining the terms "persistently low-performing school" and "school of hope"; revising the required contents of a school of hope notice of intent and performance-based agreement; revising school of hope facility requirements; specifying that certain schools of hope are eligible to receive hope supplemental service allocation funds; requiring the State Board of Education to provide awards to all eligible schools that meet certain requirements; prohibiting a school of hope operator or owner from serving as the principal of a school of hope that he or she manages; conforming cross-references; creating s. 1002.334, F.S.; defining the term "franchise model school"; authorizing specified schools to use a franchise model school as a turnaround option; specifying requirements for a franchise model school principal; amending s. 1002.385, F.S.; revising the meaning of a rare disease within the definition of a "disability" for purposes of the Gardiner Scholarship Program; revising requirements for private schools that participate in the program; specifying that the failure or refusal, rather than the inability of, a private school to meet certain requirements constitutes a basis for program ineligibility; conforming cross-references; amending s. 1002.39, F.S.; revising the purpose of department site visits at private schools participating in the John M. McKay Scholarships for Students with Disabilities Program; authorizing the department to make followup site visits at any time to certain private schools; requiring participating private schools to provide a specified report from an independent certified public accountant under certain circumstances; specifying that the failure or refusal, rather than the inability of, a private school to meet certain requirements constitutes a basis for program ineligibility; conforming provisions to changes made by the act; amending s. 1002.395, F.S.; revising obligations of eligible nonprofit scholarship-funding organizations participating in the Florida Tax Credit Scholarship Program; specifying that the failure or refusal, rather than the inability of, a private school to meet certain requirements constitutes a basis for program ineligibility; revising the purpose of department site visits at private schools participating in the Florida Tax Credit Scholarship Program; authorizing the department to make followup site visits at any time to certain private schools; conforming provisions to changes made by the act; creating s. 1002.40, F.S.; establishing the Hope Scholarship Program; providing the purpose of the program; defining terms; providing eligibility requirements; prohibiting the payment of a scholarship under certain circumstances; requiring a principal to provide copies of a report of physical violence or emotional abuse to certain individuals within specified timeframes; requiring the principal to investigate such incidents; requiring a school district to notify an eligible student's parent of the program under certain circumstances; requiring a school district to provide certain information relating to the statewide assessment program; providing requirements and obligations for eligible private schools; providing Department of Education obligations relating to participating students and private

schools and program requirements; providing Commissioner of Education obligations; requiring the commissioner to deny, suspend, or revoke a private school's participation in the program or the payment of scholarship funds under certain circumstances; defining the term "owner or operator"; providing a process for review of a decision from the commissioner under certain circumstances; providing for the release of personally identifiable student information under certain circumstances; providing parent and student responsibilities for initial and continued participation in the program; providing nonprofit scholarship-funding organization obligations; providing for the calculation of the scholarship amount; providing the scholarship amount for students transferred to certain public schools; requiring verification of specified information before a scholarship may be disbursed; providing requirements for the scholarship payments; providing funds for administrative expenses for certain nonprofit scholarship-funding organizations; providing requirements for administrative expenses; prohibiting a nonprofit scholarship-funding organization from charging an application fee; providing Auditor General obligations; providing requirements for taxpayer elections to contribute to the program; requiring the Department of Revenue to adopt forms to administer the program; providing requirements for certain agents of the Department of Revenue and motor vehicle dealers; providing reporting requirements for nonprofit scholarship-funding organizations relating to taxpayer contributions; providing penalties; providing for the restitution of specified funds under certain circumstances; providing the state is not liable for the award or use of program funds; prohibiting additional regulations for private schools participating in the program beyond those necessary to enforce program requirements; requiring the State Board of Education to adopt rules to administer the program; amending s. 1002.421, F.S.; defining the term "owner or operator"; requiring a private school to employ or contract with teachers who meet certain qualifications and provide information about such qualifications to the department and parents; revising the conditions under which a private school employee may be exempted from background screening requirements; specifying that a private school is ineligible to participate in certain scholarship programs under certain circumstances; requiring the department to annually visit a certain percentage of certain private schools; authorizing the department to make certain followup site visits at any time; requiring the Division of State Fire Marshal to annually provide the department with fire safety inspection reports for certain private schools; requiring that certain private schools provide the department with a report from an independent certified public accountant under certain circumstances; repealing s. 1002.43, F.S., relating to private tutoring programs; amending s. 1002.55, F.S.; authorizing an early learning coalition to refuse to contract with certain private pre-kindergarten providers; amending s. 1003.01, F.S.; redefining the term "regular school attendance"; amending s. 1003.26, F.S.; conforming a cross-reference; amending s. 1003.41, F.S.; revising the requirements for the Next Generation Sunshine State Standards to include financial literacy; amending s. 1003.4282, F.S.; revising the required credits for a standard high school diploma to include one-half credit of instruction in personal financial literacy and money management and seven and one-half, rather than eight, credits in electives; creating s. 1003.457, F.S.; requiring school districts to provide instruction in cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator; requiring students to study and practice psychomotor skills associated with CPR at least once before graduating from high school; requiring the instruction to be a part of a required curriculum; providing instruction to be based on certain programs; providing an exemption; amending s. 1003.453, F.S.; conforming provisions to changes made by the act; amending s. 1006.061, F.S.; revising the applicability of certain child abuse, abandonment, and neglect provisions; amending s. 1006.07, F.S.; requiring district school boards to formulate and prescribe policies and procedures for active shooter situations; requiring that active shooter situation training for each school be conducted by the law enforcement agency or agencies that are designated as first responders to the school's campus; requiring each school district to conduct certain assessments in a specified format; requiring a district school superintendent to provide specified agencies with certain findings and certain strategy and activity recommendations to improve school safety and security; requiring that district school boards and private school principals or governing boards allow campus tours by such law enforcement agency or agencies at specified times and for specified purposes; requiring that certain recommendations be documented by such board or principal; amending s. 1006.12, F.S.; requiring, rather than authorizing, district school boards to establish certain school resource officer programs; requiring a district school board to commission one or more

school safety officers at each district school facility within the district; amending s. 1007.273, F.S.; defining the term "structured program"; providing additional options for students participating in a structured program; prohibiting a district school board from limiting the number of public school students who may participate in a structured program; revising contract requirements; requiring each district school board to annually notify students in certain grades of certain information about the structured program, by a specified date; revising provisions relating to funding; requiring the state board to enforce compliance with certain provisions by a specified date each year; providing reporting requirements; amending s. 1008.33, F.S.; revising the turnaround options available for certain schools; amending s. 1011.62, F.S.; creating the hope supplemental services allocation; providing the purpose of the allocation; specifying the services that may be funded by the allocation; providing that implementation plans may include certain models; providing requirements for implementation plans; providing for the allocation of funds in specified fiscal years; creating the mental health assistance allocation; providing the purpose of the allocation; providing for the annual allocation of such funds on a specified basis; prohibiting the use of allocated funds to supplant funds provided from other operating funds, to increase salaries, or to provide bonuses; providing requirements for school districts and charter schools; providing that required plans must include certain elements; requiring school districts to annually submit approved plans to the Commissioner of Education by a specified date; requiring that entities that receive such allocations annually submit a final report on program outcomes and specific expenditures to the commissioner by a specified date; creating the funding compression allocation; providing the purpose of the allocation; authorizing funding for the annual allocation; providing the calculation for the allocation; amending s. 1011.69, F.S.; authorizing certain high schools to receive Title I funds; providing that a school district may withhold Title I funds for specified purposes; authorizing certain schools to use Title I funds for specified purposes; amending s. 1011.71, F.S.; increasing the amount that a school district may expend from a specified millage levy for certain expenses; amending s. 1012.315, F.S.; revising the applicability of certain provisions related to disqualification from employment for the conviction of specified offenses; amending s. 1012.731, F.S.; extending eligibility for the Florida Best and Brightest Teacher Scholarship Program to school district employees who, in the immediately preceding school year, were classroom teachers and met eligibility requirements; deleting scholarship awards authorized for specific school years; amending s. 1012.732, F.S.; specifying that a franchise model school principal is eligible to receive a Florida Best and Brightest Principal scholarship; requiring specified awards for eligible principals; amending s. 1012.796, F.S.; revising the applicability of a requirement that certain private schools file specified reports with the department for certain allegations against its employees; amending s. 1013.31, F.S.; authorizing a district to use certain sources of funds for educational, auxiliary, and ancillary plant capital outlay purposes without needing a survey recommendation; amending s. 1013.385, F.S.; providing additional exceptions to certain building code regulations for school districts; amending s. 1013.62, F.S.; providing legislative intent; prohibiting a charter school from being eligible for capital outlay funds unless the chair of the governing board and the chief administrative officer of the charter school annually certify certain information; defining the term "affiliated party of the charter school"; revising the Department of Education's calculation methodology for a school district's distribution of discretionary millage to its eligible charter schools; amending s. 212.08, F.S.; conforming a cross-reference; providing appropriations; providing appropriations; authorizing the Department of Revenue to adopt emergency rules for specified purposes; providing effective dates.

Senators Passidomo and Galvano offered the following amendment which was moved by Senator Passidomo:

Amendment 3 (734058) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 212.099, Florida Statutes, is created to read:

212.099 Florida Sales Tax Credit Scholarship Program.—

(1) *As used in this section, the term:*

(a) *"Eligible business" means a tenant or person actually occupying, using, or entitled to the use of any property from which the rental or license fee is subject to taxation under s. 212.031.*

(b) “Eligible contribution” or “contribution” means a monetary contribution from an eligible business to an eligible nonprofit scholarship-funding organization to be used pursuant to s. 1002.385 or s. 1002.395. The eligible business making the contribution may not designate a specific student as the beneficiary of the contribution.

(c) “Eligible nonprofit scholarship-funding organization” or “organization” has the same meaning as provided in s. 1002.395(2)(f).

(2) An eligible business shall be granted a credit against the tax imposed under s. 212.031 and collected from the eligible business by a dealer. The credit shall be in an amount equal to 100 percent of an eligible contribution made to an organization.

(3) A dealer shall take a credit against the tax imposed under s. 212.031 in an amount equal to the credit taken by the eligible business under subsection (2).

(4)(a) An eligible business must apply to the department for an allocation of tax credits under this section. The eligible business must specify in the application the state fiscal year during which the contribution will be made, the organization that will receive the contribution, the planned amount of the contribution, the address of the property from which the rental or license fee is subject to taxation under s. 212.031, and the federal employer identification number of the dealer who collects the tax imposed under s. 212.031 from the eligible business and who will reduce collection of taxes from the eligible business pursuant to this section. The department shall approve allocations of tax credits on a first-come, first-served basis and shall provide to the eligible business a separate approval or denial letter for each dealer for which the eligible business applied for an allocation of tax credits. Within 10 days after approving or denying an application, the department shall provide a copy of its approval or denial letter to the organization specified by the eligible business in the application. An approval letter must include the name and federal employer identification number of the dealer from whom a credit under this section can be taken and the amount of tax credits approved for use with that dealer.

(b) Upon receipt of an eligible contribution, the organization shall provide the eligible business that made the contribution with a separate certificate of contribution for each dealer from whom a credit can be taken as approved under paragraph (a). A certificate of contribution must include the contributor's name and, if available, federal employer identification number, the amount contributed, the date of contribution, the name of the organization, and the name and federal employer identification number of the dealer.

(5) Each dealer that receives from an eligible business a copy of the department's approval letter and a certificate of contribution, both of which identify the dealer as the dealer who collects the tax imposed under s. 212.031 from the eligible business and who will reduce collection of taxes from the eligible business pursuant to this section, shall reduce the tax collected from the eligible business under s. 212.031 by the total amount of contributions indicated in the certificate of contribution. The reduction may not exceed the amount of credit allocation approved by the department and may not exceed the amount of tax that would otherwise be collected from the eligible business by a dealer when a payment is made under the rental or license fee arrangement. However, payments by an eligible business to a dealer may not be reduced before October 1, 2018.

(a) If the total amount of credits an eligible business may take cannot be fully used within any period that a payment is due under the rental or license fee arrangement because of an insufficient amount of tax that the dealer would collect from the eligible business during that period, the unused amount may be carried forward for a period not to exceed 10 years.

(b) A tax credit may not be claimed on an amended return or through a refund.

(c) A dealer that claims a tax credit must file returns and pay taxes by electronic means under s. 213.755.

(d) An eligible business may not convey, assign, or transfer an approved tax credit or a carryforward tax credit to another entity unless all of the assets of the eligible business are conveyed, assigned, or trans-

ferred in the same transaction and the successor business continues the same lease with the dealer.

(e) Within any state fiscal year, an eligible business may rescind all or part of a tax credit approved under this section. The amount rescinded shall become available for that state fiscal year to another eligible business as approved by the department if the business receives notice from the department that the rescindment has been accepted by the department. Any amount rescinded under this subsection shall become available to an eligible business on a first-come, first-served basis based on tax credit applications received after the date the rescindment is accepted by the department.

(f) Within 10 days after the rescindment of a tax credit under paragraph (e) of this subsection is accepted by the department, the department shall notify the eligible nonprofit scholarship-funding organization specified by the eligible business. The department shall also include the eligible nonprofit scholarship-funding organization specified by the eligible business on all letters or correspondence of acknowledgment for tax credits under this section.

(6) An organization shall report to the department, on or before the 20th day of each month, the total amount of contributions received pursuant to subsection (4) in the preceding calendar month on a form provided by the department. Such report shall include the amount of contributions received during that reporting period and the federal employer identification number of each dealer associated with the contribution.

(7)(a) Eligible contributions may be used to fund the program established under s. 1002.385 if funds appropriated in a state fiscal year for the program are insufficient to fund eligible students.

(b) If the conditions in paragraph (a) are met, the organization shall first use eligible contributions received during a state fiscal year to fund scholarships for students in the priority set forth in s. 1002.385(12)(d). Remaining contributions may be used to fund scholarships for students eligible pursuant to s. 1002.395(3)(b)1. or 2.

(c) The organization shall separately account for each scholarship funded pursuant to this section.

(d) Notwithstanding s. 1002.385(6)(b), any funds remaining from a closed scholarship account funded pursuant to this section shall be used to fund other scholarships pursuant to s. 1002.385.

(e) The organization may, subject to the limitations of s. 1002.395(6)(j)1., use up to 3 percent of eligible contributions received during the state fiscal year in which such contributions are collected for administrative expenses.

(8) The sum of tax credits that may be approved by the department in any state fiscal year is \$57.5 million.

(9) For purposes of the distributions of tax revenue under s. 212.20, the department shall disregard any tax credits allowed under this section to ensure that any reduction in tax revenue received that is attributable to the tax credits results only in a reduction in distributions to the General Revenue Fund.

(10) The department may adopt rules to administer this section.

Section 2. Section 212.1831, Florida Statutes, is amended to read:

212.1831 Credit for contributions to eligible nonprofit scholarship-funding organizations.—There is allowed a credit of 100 percent of an eligible contribution made to an eligible nonprofit scholarship-funding organization under s. 1002.395 against any tax imposed by the state and due under this chapter from a direct pay permit holder as a result of the direct pay permit held pursuant to s. 212.183. For purposes of the dealer's credit granted for keeping prescribed records, filing timely tax returns, and properly accounting and remitting taxes under s. 212.12, the amount of tax due used to calculate the credit shall include any eligible contribution made to an eligible nonprofit scholarship-funding organization from a direct pay permit holder. For purposes of the distributions of tax revenue under s. 212.20, the department shall disregard any tax credits allowed under this section to ensure that any reduction in tax revenue received that is attributable to the tax credits results only in a reduction in distributions to the General Revenue

Fund. The provisions of s. 1002.395 apply to the credit authorized by this section.

Section 3. Effective upon this act becoming a law, section 212.1832, Florida Statutes, is created to read:

212.1832 Credit for contributions to the Hope Scholarship Program.—

(1) *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 organization under s. 1002.40 against any tax imposed by the state under this chapter and collected from the purchaser by a dealer, designated agent, or private tag agent as a result of the purchase or acquisition of a motor vehicle on or after October 1, 2018, except that a credit may not exceed the tax that would otherwise be collected from the purchaser by a dealer, designated agent, or private tag agent. For purposes of this subsection, the term “purchase” does not include the lease or rental of a motor vehicle.*

(2) *A dealer shall take a credit against any tax imposed by the state under this chapter on the purchase of a motor vehicle in an amount equal to the credit granted to the purchaser under subsection (1).*

(3) *For purposes of the distributions of tax revenue under s. 212.20, the department shall disregard any tax credits allowed under this section to ensure that any reduction in tax revenue received that is attributable to the tax credits results only in a reduction in distributions to the General Revenue Fund. The provisions of s. 1002.40 apply to the credit authorized by this section.*

Section 4. Effective upon this act becoming a law, subsection (21) is added to section 213.053, Florida Statutes, to read:

213.053 Confidentiality and information sharing.—

(21)(a) *For purposes of this subsection, the term:*

1. *“Eligible nonprofit scholarship-funding organization” means an eligible nonprofit scholarship-funding organization as defined in s. 1002.395(2) that meets the criteria in s. 1002.395(6) to use up to 3 percent of eligible contributions for administrative expenses.*

2. *“Taxpayer” has the same meaning as in s. 220.03, unless disclosure of the taxpayer’s name and address would violate any term of an information-sharing agreement between the department and an agency of the Federal Government.*

(b) *The department, upon request, shall provide to an eligible nonprofit scholarship-funding organization that provides scholarships under s. 1002.395 a list of the 200 taxpayers with the greatest total corporate income or franchise tax due as reported on the taxpayer’s return filed pursuant to s. 220.22 during the previous calendar year. The list must be in alphabetical order based on the taxpayer’s name and shall contain the taxpayer’s address. The list may not disclose the amount of tax owed by any taxpayer.*

(c) *An eligible nonprofit scholarship-funding organization may request the list once each calendar year. The department shall provide the list within 45 days after the request is made.*

(d) *Any taxpayer information contained in the list may be used by the eligible nonprofit scholarship-funding organization only to notify the taxpayer of the opportunity to make an eligible contribution to the Florida Tax Credit Scholarship Program under s. 1002.395. Any information furnished to an eligible nonprofit scholarship-funding organization under this subsection may not be further disclosed by the organization except as provided in this paragraph.*

(e) *An eligible nonprofit scholarship-funding organization, its officers, and employees are subject to the same requirements of confidentiality and the same penalties for violating confidentiality as the department and its employees. Breach of confidentiality is a misdemeanor of the first degree, punishable as provided by s. 775.082 or s. 775.083.*

Section 5. Subsection (22) is added to section 213.053, Florida Statutes, as amended by this act, to read:

213.053 Confidentiality and information sharing.—

(22)(a) *The department may provide to an eligible nonprofit scholarship-funding organization, as defined in s. 1002.40, a dealer’s name, address, federal employer identification number, and information related to differences between credits taken by the dealer pursuant to s. 212.1832(2) and amounts remitted to the eligible nonprofit scholarship-funding organization under s. 1002.40(13)(b)3. The eligible nonprofit scholarship-funding organization may use the information for purposes of recovering eligible contributions designated for that organization that were collected by the dealer but never remitted to the organization.*

(b) *Nothing in this subsection authorizes the disclosure of information if such disclosure is prohibited by federal law. An eligible nonprofit scholarship-funding organization is bound by the same requirements of confidentiality and the same penalties for a violation of the requirements as the department.*

Section 6. Paragraph (a) of subsection (1) of section 220.13, Florida Statutes, is amended to read:

220.13 “Adjusted federal income” defined.—

(1) The term “adjusted federal income” means an amount equal to the taxpayer’s taxable income as defined in subsection (2), or such taxable income of more than one taxpayer as provided in s. 220.131, for the taxable year, adjusted as follows:

(a) *Additions.—*There shall be added to such taxable income:

1.a. *The amount of any tax upon or measured by income, excluding taxes based on gross receipts or revenues, paid or accrued as a liability to the District of Columbia or any state of the United States which is deductible from gross income in the computation of taxable income for the taxable year.*

b. *Notwithstanding sub-subparagraph a., if a credit taken under s. 220.1875 is added to taxable income in a previous taxable year under subparagraph 11. and is taken as a deduction for federal tax purposes in the current taxable year, the amount of the deduction allowed shall not be added to taxable income in the current year. The exception in this sub-subparagraph is intended to ensure that the credit under s. 220.1875 is added in the applicable taxable year and does not result in a duplicate addition in a subsequent year.*

2. *The amount of interest which is excluded from taxable income under s. 103(a) of the Internal Revenue Code or any other federal law, less the associated expenses disallowed in the computation of taxable income under s. 265 of the Internal Revenue Code or any other law, excluding 60 percent of any amounts included in alternative minimum taxable income, as defined in s. 55(b)(2) of the Internal Revenue Code, if the taxpayer pays tax under s. 220.11(3).*

3. *In the case of a regulated investment company or real estate investment trust, an amount equal to the excess of the net long-term capital gain for the taxable year over the amount of the capital gain dividends attributable to the taxable year.*

4. *That portion of the wages or salaries paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.181. This subparagraph shall expire on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act.*

5. *That portion of the ad valorem school taxes paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.182. This subparagraph shall expire on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act.*

6. *The amount taken as a credit under s. 220.195 which is deductible from gross income in the computation of taxable income for the taxable year.*

7. *That portion of assessments to fund a guaranty association incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year.*

8. In the case of a nonprofit corporation which holds a pari-mutuel permit and which is exempt from federal income tax as a farmers' cooperative, an amount equal to the excess of the gross income attributable to the pari-mutuel operations over the attributable expenses for the taxable year.

9. The amount taken as a credit for the taxable year under s. 220.1895.

10. Up to nine percent of the eligible basis of any designated project which is equal to the credit allowable for the taxable year under s. 220.185.

11. The amount taken as a credit for the taxable year under s. 220.1875. The addition in this subparagraph is intended to ensure that the same amount is not allowed for the tax purposes of this state as both a deduction from income and a credit against the tax. This addition is not intended to result in adding the same expense back to income more than once.

12. The amount taken as a credit for the taxable year under s. 220.192.

13. The amount taken as a credit for the taxable year under s. 220.193.

14. Any portion of a qualified investment, as defined in s. 288.9913, which is claimed as a deduction by the taxpayer and taken as a credit against income tax pursuant to s. 288.9916.

15. The costs to acquire a tax credit pursuant to s. 288.1254(5) that are deducted from or otherwise reduce federal taxable income for the taxable year.

16. The amount taken as a credit for the taxable year pursuant to s. 220.194.

17. The amount taken as a credit for the taxable year under s. 220.196. The addition in this subparagraph is intended to ensure that the same amount is not allowed for the tax purposes of this state as both a deduction from income and a credit against the tax. The addition is not intended to result in adding the same expense back to income more than once.

Section 7. Subsection (1) of section 220.1875, Florida Statutes, is amended, and subsection (4) is added to that section, to read:

220.1875 Credit for contributions to eligible nonprofit scholarship-funding organizations.—

(1) There is allowed a credit of 100 percent of an eligible contribution made to an eligible nonprofit scholarship-funding organization under s. 1002.395 against any tax due for a taxable year under this chapter after the application of any other allowable credits by the taxpayer. *An eligible contribution must be made to an eligible nonprofit scholarship-funding organization on or before the date the taxpayer is required to file a return pursuant to s. 220.222.* The credit granted by this section shall be reduced by the difference between the amount of federal corporate income tax taking into account the credit granted by this section and the amount of federal corporate income tax without application of the credit granted by this section.

(4) *If a taxpayer applies and is approved for a credit under s. 1002.395 after timely requesting an extension to file under s. 220.222(2):*

(a) *The credit does not reduce the amount of tax due for purposes of the department's determination as to whether the taxpayer was in compliance with the requirement to pay tentative taxes under ss. 220.222 and 220.32.*

(b) *The taxpayer's noncompliance with the requirement to pay tentative taxes shall result in the revocation and rescindment of any such credit.*

(c) *The taxpayer shall be assessed for any taxes, penalties, or interest due from the taxpayer's noncompliance with the requirement to pay tentative taxes.*

Section 8. Subsections (4) and (5) of section 1001.10, Florida Statutes, are amended, and subsection (8) is added to that section, to read:

1001.10 Commissioner of Education; general powers and duties.—

(4) The Department of Education shall provide technical assistance to school districts, charter schools, the Florida School for the Deaf and the Blind, and private schools that accept scholarship students *who participate in a state scholarship program under chapter 1002* ~~under s. 1002.39 or s. 1002.395~~ in the development of policies, procedures, and training related to employment practices and standards of ethical conduct for instructional personnel and school administrators, as defined in s. 1012.01.

(5) The Department of Education shall provide authorized staff of school districts, charter schools, the Florida School for the Deaf and the Blind, and private schools that accept scholarship students *who participate in a state scholarship program under chapter 1002* ~~under s. 1002.39 or s. 1002.395~~ with access to electronic verification of information from the following employment screening tools:

(a) The Professional Practices' Database of Disciplinary Actions Against Educators; and

(b) The Department of Education's Teacher Certification Database.

This subsection does not require the department to provide these staff with unlimited access to the databases. However, the department shall provide the staff with access to the data necessary for performing employment history checks of the instructional personnel and school administrators included in the databases.

(8) *In the event of an emergency situation, the commissioner may coordinate through the most appropriate means of communication with local school districts, Florida College System institutions, and satellite offices of the Division of Blind Services and the Division of Vocational Rehabilitation to assess the need for resources and assistance to enable each school, institution, or satellite office the ability to reopen as soon as possible after considering the health, safety, and welfare of students and clients.*

Section 9. Paragraphs (d) through (g) of subsection (8) of section 1002.33, Florida Statutes, are redesignated as paragraphs (c) through (f), respectively, and paragraph (b) of subsection (6), paragraphs (a), (d), and (e) of subsection (7), present paragraphs (a), (b), and (c) of subsection (8), paragraph (n) of subsection (9), paragraph (e) of subsection (10), and paragraphs (a) and (b) of subsection (20) of that section are amended, to read:

1002.33 Charter schools.—

(6) APPLICATION PROCESS AND REVIEW.—Charter school applications are subject to the following requirements:

(b) A sponsor shall receive and review all applications for a charter school using the evaluation instrument developed by the Department of Education. A sponsor shall receive and consider charter school applications received on or before August 1 of each calendar year for charter schools to be opened at the beginning of the school district's next school year, or to be opened at a time agreed to by the applicant and the sponsor. A sponsor may not refuse to receive a charter school application submitted before August 1 and may receive an application submitted later than August 1 if it chooses. Beginning in 2018 and thereafter, a sponsor shall receive and consider charter school applications received on or before February 1 of each calendar year for charter schools to be opened 18 months later at the beginning of the school district's school year, or to be opened at a time agreed to by the applicant and the sponsor. A sponsor may not refuse to receive a charter school application submitted before February 1 and may receive an application submitted later than February 1 if it chooses. A sponsor may not charge an applicant for a charter any fee for the processing or consideration of an application, and a sponsor may not base its consideration or approval of a final application upon the promise of future payment of any kind. Before approving or denying any application, the sponsor shall allow the applicant, upon receipt of written notification, at least 7 calendar days to make technical or nonsubstantive corrections and clarifications, including, but not limited to, corrections of grammatical, typographical, and like errors or missing signatures, if such

errors are identified by the sponsor as cause to deny the final application.

1. In order to facilitate an accurate budget projection process, a sponsor shall be held harmless for FTE students who are not included in the FTE projection due to approval of charter school applications after the FTE projection deadline. In a further effort to facilitate an accurate budget projection, within 15 calendar days after receipt of a charter school application, a sponsor shall report to the Department of Education the name of the applicant entity, the proposed charter school location, and its projected FTE.

2. In order to ensure fiscal responsibility, an application for a charter school shall include a full accounting of expected assets, a projection of expected sources and amounts of income, including income derived from projected student enrollments and from community support, and an expense projection that includes full accounting of the costs of operation, including start-up costs.

3.a. A sponsor shall by a majority vote approve or deny an application no later than 90 calendar days after the application is received, unless the sponsor and the applicant mutually agree in writing to temporarily postpone the vote to a specific date, at which time the sponsor shall by a majority vote approve or deny the application. If the sponsor fails to act on the application, an applicant may appeal to the State Board of Education as provided in paragraph (c). If an application is denied, the sponsor shall, within 10 calendar days after such denial, articulate in writing the specific reasons, based upon good cause, supporting its denial of the application and shall provide the letter of denial and supporting documentation to the applicant and to the Department of Education.

b. An application submitted by a high-performing charter school identified pursuant to s. 1002.331 or a high-performing charter school system identified pursuant to s. 1002.332 may be denied by the sponsor only if the sponsor demonstrates by clear and convincing evidence that:

(I) The application of a *high-performing charter school* does not materially comply with the requirements in paragraph (a) or, for a *high-performing charter school system*, the application does not materially comply with s. 1002.332(2)(b);

(II) The charter school proposed in the application does not materially comply with the requirements in paragraphs (9)(a)-(f);

(III) The proposed charter school's educational program does not substantially replicate that of the applicant or one of the applicant's high-performing charter schools;

(IV) The applicant has made a material misrepresentation or false statement or concealed an essential or material fact during the application process; or

(V) The proposed charter school's educational program and financial management practices do not materially comply with the requirements of this section.

Material noncompliance is a failure to follow requirements or a violation of prohibitions applicable to charter school applications, which failure is quantitatively or qualitatively significant either individually or when aggregated with other noncompliance. An applicant is considered to be replicating a high-performing charter school if the proposed school is substantially similar to at least one of the applicant's high-performing charter schools and the organization or individuals involved in the establishment and operation of the proposed school are significantly involved in the operation of replicated schools.

c. If the sponsor denies an application submitted by a high-performing charter school or a high-performing charter school system, the sponsor must, within 10 calendar days after such denial, state in writing the specific reasons, based upon the criteria in sub-subparagraph b., supporting its denial of the application and must provide the letter of denial and supporting documentation to the applicant and to the Department of Education. The applicant may appeal the sponsor's denial of the application in accordance with paragraph (c).

4. For budget projection purposes, the sponsor shall report to the Department of Education the approval or denial of an application within 10 calendar days after such approval or denial. In the event of

approval, the report to the Department of Education shall include the final projected FTE for the approved charter school.

5. Upon approval of an application, the initial startup shall commence with the beginning of the public school calendar for the district in which the charter is granted. A charter school may defer the opening of the school's operations for up to 3 2 years to provide time for adequate facility planning. The charter school must provide written notice of such intent to the sponsor and the parents of enrolled students at least 30 calendar days before the first day of school.

(7) CHARTER.—The terms and conditions for the operation of a charter school shall be set forth by the sponsor and the applicant in a written contractual agreement, called a charter. The sponsor and the governing board of the charter school shall use the standard charter contract pursuant to subsection (21), which shall incorporate the approved application and any addenda approved with the application. Any term or condition of a proposed charter contract that differs from the standard charter contract adopted by rule of the State Board of Education shall be presumed a limitation on charter school flexibility. The sponsor may not impose unreasonable rules or regulations that violate the intent of giving charter schools greater flexibility to meet educational goals. The charter shall be signed by the governing board of the charter school and the sponsor, following a public hearing to ensure community input.

(a) The charter shall address and criteria for approval of the charter shall be based on:

1. The school's mission, the students to be served, and the ages and grades to be included.

2. The focus of the curriculum, the instructional methods to be used, any distinctive instructional techniques to be employed, and identification and acquisition of appropriate technologies needed to improve educational and administrative performance which include a means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards.

a. The charter shall ensure that reading is a primary focus of the curriculum and that resources are provided to identify and provide specialized instruction for students who are reading below grade level. The curriculum and instructional strategies for reading must be consistent with the Next Generation Sunshine State Standards and grounded in scientifically based reading research.

b. In order to provide students with access to diverse instructional delivery models, to facilitate the integration of technology within traditional classroom instruction, and to provide students with the skills they need to compete in the 21st century economy, the Legislature encourages instructional methods for blended learning courses consisting of both traditional classroom and online instructional techniques. Charter schools may implement blended learning courses which combine traditional classroom instruction and virtual instruction. Students in a blended learning course must be full-time students of the charter school pursuant to s. 1011.61(1)(a)1. Instructional personnel certified pursuant to s. 1012.55 who provide virtual instruction for blended learning courses may be employees of the charter school or may be under contract to provide instructional services to charter school students. At a minimum, such instructional personnel must hold an active state or school district adjunct certification under s. 1012.57 for the subject area of the blended learning course. The funding and performance accountability requirements for blended learning courses are the same as those for traditional courses.

3. The current incoming baseline standard of student academic achievement, the outcomes to be achieved, and the method of measurement that will be used. The criteria listed in this subparagraph shall include a detailed description of:

a. How the baseline student academic achievement levels and prior rates of academic progress will be established.

b. How these baseline rates will be compared to rates of academic progress achieved by these same students while attending the charter school.

c. To the extent possible, how these rates of progress will be evaluated and compared with rates of progress of other closely comparable student populations.

The district school board is required to provide academic student performance data to charter schools for each of their students coming from the district school system, as well as rates of academic progress of comparable student populations in the district school system.

4. The methods used to identify the educational strengths and needs of students and how well educational goals and performance standards are met by students attending the charter school. The methods shall provide a means for the charter school to ensure accountability to its constituents by analyzing student performance data and by evaluating the effectiveness and efficiency of its major educational programs. Students in charter schools shall, at a minimum, participate in the statewide assessment program created under s. 1008.22.

5. In secondary charter schools, a method for determining that a student has satisfied the requirements for graduation in s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

6. A method for resolving conflicts between the governing board of the charter school and the sponsor.

7. The admissions procedures and dismissal procedures, including the school's code of student conduct. Admission or dismissal must not be based on a student's academic performance.

8. The ways by which the school will achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other public schools in the same school district.

9. The financial and administrative management of the school, including a reasonable demonstration of the professional experience or competence of those individuals or organizations applying to operate the charter school or those hired or retained to perform such professional services and the description of clearly delineated responsibilities and the policies and practices needed to effectively manage the charter school. A description of internal audit procedures and establishment of controls to ensure that financial resources are properly managed must be included. Both public sector and private sector professional experience shall be equally valid in such a consideration.

10. The asset and liability projections required in the application which are incorporated into the charter and shall be compared with information provided in the annual report of the charter school.

11. A description of procedures that identify various risks and provide for a comprehensive approach to reduce the impact of losses; plans to ensure the safety and security of students and staff; plans to identify, minimize, and protect others from violent or disruptive student behavior; and the manner in which the school will be insured, including whether or not the school will be required to have liability insurance, and, if so, the terms and conditions thereof and the amounts of coverage.

12. The term of the charter which shall provide for cancellation of the charter if insufficient progress has been made in attaining the student achievement objectives of the charter and if it is not likely that such objectives can be achieved before expiration of the charter. The initial term of a charter shall be for 4 or 5 years, *excluding 2 planning years*. In order to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a municipality or other public entity as provided by law are eligible for up to a 15-year charter, subject to approval by the district school board. A charter lab school is eligible for a charter for a term of up to 15 years. In addition, to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a private, not-for-profit, s. 501(c)(3) status corporation are eligible for up to a 15-year charter, subject to approval by the district school board. Such long-term charters remain subject to annual review and may be terminated during the term of the charter, but only according to the provisions set forth in subsection (8).

13. The facilities to be used and their location. The sponsor may not require a charter school to have a certificate of occupancy or a temporary certificate of occupancy for such a facility earlier than 15 calendar days before the first day of school.

14. The qualifications to be required of the teachers and the potential strategies used to recruit, hire, train, and retain qualified staff to achieve best value.

15. The governance structure of the school, including the status of the charter school as a public or private employer as required in paragraph (12)(i).

16. A timetable for implementing the charter which addresses the implementation of each element thereof and the date by which the charter shall be awarded in order to meet this timetable.

17. In the case of an existing public school that is being converted to charter status, alternative arrangements for current students who choose not to attend the charter school and for current teachers who choose not to teach in the charter school after conversion in accordance with the existing collective bargaining agreement or district school board rule in the absence of a collective bargaining agreement. However, alternative arrangements shall not be required for current teachers who choose not to teach in a charter lab school, except as authorized by the employment policies of the state university which grants the charter to the lab school.

18. Full disclosure of the identity of all relatives employed by the charter school who are related to the charter school owner, president, chairperson of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school who has equivalent decisionmaking authority. For the purpose of this subparagraph, the term "relative" means father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

19. Implementation of the activities authorized under s. 1002.331 by the charter school when it satisfies the eligibility requirements for a high-performing charter school. A high-performing charter school shall notify its sponsor in writing by March 1 if it intends to increase enrollment or expand grade levels the following school year. The written notice shall specify the amount of the enrollment increase and the grade levels that will be added, as applicable.

(d) A charter may be modified during its initial term or any renewal term upon the recommendation of the sponsor or the charter school's governing board and the approval of both parties to the agreement. Modification *during any term* may include, but is not limited to, consolidation of multiple charters into a single charter if the charters are operated under the same governing board ~~and physically located on the same campus~~, regardless of the renewal cycle. *A charter school that is not subject to a school improvement plan and that closes as part of a consolidation shall be reported by the school district as a consolidation.*

(e) A charter may be terminated by a charter school's governing board through voluntary closure. The decision to cease operations must be determined at a public meeting. The governing board shall notify the parents and sponsor of the public meeting in writing before the public meeting. The governing board must notify the sponsor, parents of enrolled students, and the department in writing within 24 hours after the public meeting of its determination. The notice shall state the charter school's intent to continue operations or the reason for the closure and acknowledge that the governing board agrees to follow the procedures for dissolution and reversion of public funds pursuant to *paragraphs (8)(d)-(f) and (9)(o) paragraphs (8)(c), (g) and (9)(c).*

(8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.—

(a) The sponsor shall make student academic achievement for all students the most important factor when determining whether to renew or terminate the charter. The sponsor may also choose not to renew or may terminate the charter *if the sponsor finds that one of the grounds set forth below exists by clear and convincing evidence for any of the following grounds:*

1. Failure to participate in the state's education accountability system created in s. 1008.31, as required in this section, or failure to meet the requirements for student performance stated in the charter.

2. Failure to meet generally accepted standards of fiscal management.
3. *Material* violation of law.
4. Other good cause shown.

(b) At least 90 days before renewing, nonrenewing, or terminating a charter, the sponsor shall notify the governing board of the school of the proposed action in writing. The notice shall state in reasonable detail the grounds for the proposed action and stipulate that the school's governing board may, within 14 calendar days after receiving the notice, request a hearing. The hearing shall be conducted ~~at the sponsor's election in accordance with one of the following procedures:~~

~~1. A direct hearing conducted by the sponsor within 60 days after receipt of the request for a hearing. The hearing shall be conducted in accordance with ss. 120.569 and 120.57. The sponsor shall decide upon nonrenewal or termination by a majority vote. The sponsor's decision shall be a final order; or~~

~~2. A hearing conducted by an administrative law judge assigned by the Division of Administrative Hearings. The hearing shall be conducted within 90 60 days after receipt of the request for a hearing and in accordance with chapter 120. The administrative law judge's *final recommended* order shall be submitted to the sponsor. *The administrative law judge shall award the prevailing party reasonable attorney fees and costs incurred during the administrative proceeding and any appeals. A majority vote by the sponsor shall be required to adopt or modify the administrative law judge's recommended order. The sponsor shall issue a final order.*~~

~~(c) The final order shall state the specific reasons for the sponsor's decision. The sponsor shall provide its final order to the charter school's governing board and the Department of Education no later than 10 calendar days after its issuance. The charter school's governing board may, within 30 calendar days after receiving the sponsor's final order, appeal the decision pursuant to s. 120.68.~~

(9) CHARTER SCHOOL REQUIREMENTS.—

(n)1. The director and a representative of the governing board of a charter school that has earned a grade of "D" or "F" pursuant to s. 1008.34 shall appear before the sponsor to present information concerning each contract component having noted deficiencies. The director and a representative of the governing board shall submit to the sponsor for approval a school improvement plan to raise student performance. Upon approval by the sponsor, the charter school shall begin implementation of the school improvement plan. The department shall offer technical assistance and training to the charter school and its governing board and establish guidelines for developing, submitting, and approving such plans.

2.a. If a charter school earns three consecutive grades below a "C," the charter school governing board shall choose one of the following corrective actions:

- (I) Contract for educational services to be provided directly to students, instructional personnel, and school administrators, as prescribed in state board rule;
- (II) Contract with an outside entity that has a demonstrated record of effectiveness to operate the school;
- (III) Reorganize the school under a new director or principal who is authorized to hire new staff; or
- (IV) Voluntarily close the charter school.

b. The charter school must implement the corrective action in the school year following receipt of a third consecutive grade below a "C."

c. The sponsor may annually waive a corrective action if it determines that the charter school is likely to improve a letter grade if additional time is provided to implement the intervention and support strategies prescribed by the school improvement plan. Notwithstanding this sub-subparagraph, a charter school that earns a second consecutive grade of "F" is subject to subparagraph 3.

d. A charter school is no longer required to implement a corrective action if it improves to a "C" or higher. However, the charter school must continue to implement strategies identified in the school improvement plan. The sponsor must annually review implementation of the school improvement plan to monitor the school's continued improvement pursuant to subparagraph 4.

e. A charter school implementing a corrective action that does not improve to a "C" or higher after 2 full school years of implementing the corrective action must select a different corrective action. Implementation of the new corrective action must begin in the school year following the implementation period of the existing corrective action, unless the sponsor determines that the charter school is likely to improve to a "C" or higher if additional time is provided to implement the existing corrective action. Notwithstanding this sub-subparagraph, a charter school that earns a second consecutive grade of "F" while implementing a corrective action is subject to subparagraph 3.

3. A charter school's charter contract is automatically terminated if the school earns two consecutive grades of "F" after all school grade appeals are final unless:

a. The charter school is established to turn around the performance of a district public school pursuant to s. 1008.33(4)(b)2. Such charter schools shall be governed by s. 1008.33;

b. The charter school serves a student population the majority of which resides in a school zone served by a district public school subject to s. 1008.33(4) and the charter school earns at least a grade of "D" in its third year of operation. The exception provided under this sub-subparagraph does not apply to a charter school in its fourth year of operation and thereafter; or

c. The state board grants the charter school a waiver of termination. The charter school must request the waiver within 15 days after the department's official release of school grades. The state board may waive termination if the charter school demonstrates that the Learning Gains of its students on statewide assessments are comparable to or better than the Learning Gains of similarly situated students enrolled in nearby district public schools. The waiver is valid for 1 year and may only be granted once. Charter schools that have been in operation for more than 5 years are not eligible for a waiver under this sub-subparagraph.

The sponsor shall notify the charter school's governing board, the charter school principal, and the department in writing when a charter contract is terminated under this subparagraph. ~~The letter of termination must meet the requirements of paragraph (8)(c). A charter terminated under this subparagraph must follow the procedures for dissolution and reversion of public funds pursuant to paragraphs (8)(d)-(f) and (9)(o) paragraphs (8)(c)-(g) and (9)(e).~~

4. The director and a representative of the governing board of a graded charter school that has implemented a school improvement plan under this paragraph shall appear before the sponsor at least once a year to present information regarding the progress of intervention and support strategies implemented by the school pursuant to the school improvement plan and corrective actions, if applicable. The sponsor shall communicate at the meeting, and in writing to the director, the services provided to the school to help the school address its deficiencies.

5. Notwithstanding any provision of this paragraph except sub-subparagraphs 3.a.-c., the sponsor may terminate the charter at any time pursuant to subsection (8).

(10) ELIGIBLE STUDENTS.—

(e) A charter school may limit the enrollment process only to target the following student populations:

1. Students within specific age groups or grade levels.
2. Students considered at risk of dropping out of school or academic failure. Such students shall include exceptional education students.
3. Students enrolling in a charter school-in-the-workplace or charter school-in-a-municipality established pursuant to subsection (15).

4. Students residing within a reasonable distance of the charter school, as described in paragraph (20)(c). Such students shall be subject to a random lottery and to the racial/ethnic balance provisions described in subparagraph (7)(a)8, or any federal provisions that require a school to achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other public schools in the same school district.

5. Students who meet reasonable academic, artistic, or other eligibility standards established by the charter school and included in the charter school application and charter or, in the case of existing charter schools, standards that are consistent with the school's mission and purpose. Such standards shall be in accordance with current state law and practice in public schools and may not discriminate against otherwise qualified individuals.

6. Students articulating from one charter school to another pursuant to an articulation agreement between the charter schools that has been approved by the sponsor.

7. Students living in a development in which a business entity provides the school facility and related property having an appraised value of at least \$5 ~~10~~ million to be used as a charter school to mitigate the educational impact created by ~~for~~ the development of new residential dwelling units. Students living in the development shall be entitled to no more than 50 percent of the student stations in the charter school. The students who are eligible for enrollment are subject to a random lottery, the racial/ethnic balance provisions, or any federal provisions, as described in subparagraph 4. The remainder of the student stations shall be filled in accordance with subparagraph 4.

(20) SERVICES.—

(a)1. A sponsor shall provide certain administrative and educational services to charter schools. These services shall include contract management services; full-time equivalent and data reporting services; exceptional student education administration services; services related to eligibility and reporting duties required to ensure that school lunch services under the National School Lunch Program, consistent with the needs of the charter school, are provided by the school district at the request of the charter school, that any funds due to the charter school under the National School Lunch Program be paid to the charter school as soon as the charter school begins serving food under the National School Lunch Program, and that the charter school is paid at the same time and in the same manner under the National School Lunch Program as other public schools serviced by the sponsor or the school district; test administration services, including payment of the costs of state-required or district-required student assessments; processing of teacher certificate data services; and information services, including equal access to student information systems that are used by public schools in the district in which the charter school is located. Student performance data for each student in a charter school, including, but not limited to, FCAT scores, standardized test scores, previous public school student report cards, and student performance measures, shall be provided by the sponsor to a charter school in the same manner provided to other public schools in the district.

2. A sponsor may withhold an administrative fee for the provision of such services which shall be a percentage of the available funds defined in paragraph (17)(b) calculated based on weighted full-time equivalent students. If the charter school serves 75 percent or more exceptional education students as defined in s. 1003.01(3), the percentage shall be calculated based on unweighted full-time equivalent students. The administrative fee shall be calculated as follows:

a. Up to 5 percent for:

(I) Enrollment of up to and including 250 students in a charter school as defined in this section.

(II) Enrollment of up to and including 500 students within a charter school system which meets all of the following:

(A) Includes conversion charter schools and nonconversion charter schools.

(B) Has all of its schools located in the same county.

(C) Has a total enrollment exceeding the total enrollment of at least one school district in the state.

(D) Has the same governing board for all of its schools.

(E) Does not contract with a for-profit service provider for management of school operations.

(III) Enrollment of up to and including 250 students in a virtual charter school.

b. Up to 2 percent for enrollment of up to and including 250 students in a high-performing charter school as defined in s. 1002.331.

3. A sponsor may not charge charter schools any additional fees or surcharges for administrative and educational services in addition to the maximum percentage of administrative fees withheld pursuant to this paragraph.

4. *A sponsor shall provide to the department by September 15 of each year the total amount of funding withheld from charter schools pursuant to this subsection for the prior fiscal year. The department must include the information in the report required under sub-sub-subparagraph (5)(b)1.k.III.*

(b) If goods and services are made available to the charter school through the contract with the school district, they shall be provided to the charter school at a rate no greater than the district's actual cost unless mutually agreed upon by the charter school and the sponsor in a contract negotiated separately from the charter. When mediation has failed to resolve disputes over contracted services or contractual matters not included in the charter, an appeal may be made to an administrative law judge appointed by the Division of Administrative Hearings. *The administrative law judge has final order authority to rule on the dispute. The administrative law judge shall award the prevailing party reasonable attorney fees and costs incurred during the mediation process, administrative proceeding, and any appeals, to be paid by the party whom the administrative law judge rules against for a dispute resolution hearing before the Charter School Appeal Commission.* To maximize the use of state funds, school districts shall allow charter schools to participate in the sponsor's bulk purchasing program if applicable.

Section 10. Subsection (1), paragraph (a) of subsection (2), and paragraph (b) of subsection (3) of section 1002.331, Florida Statutes, are amended to read:

1002.331 High-performing charter schools.—

(1) A charter school is a high-performing charter school if it:

(a) Received at least two school grades of "A" and no school grade below "B," pursuant to s. 1008.34, during each of the previous 3 school years or received at least two consecutive school grades of "A" in the most recent 2 school years.

(b) Received an unqualified opinion on each annual financial audit required under s. 218.39 in the most recent 3 fiscal years for which such audits are available.

(c) Did not receive a financial audit that revealed one or more of the financial emergency conditions set forth in s. 218.503(1) in the most recent 3 fiscal years for which such audits are available. However, this requirement is deemed met for a charter school-in-the-workplace if there is a finding in an audit that the school has the monetary resources available to cover any reported deficiency or that the deficiency does not result in a deteriorating financial condition pursuant to s. 1002.345(1)(a)3.

For purposes of determining initial eligibility, the requirements of paragraphs (b) and (c) only apply for the most recent 2 fiscal years if the charter school earns two consecutive grades of "A." A virtual charter school established under s. 1002.33 is not eligible for designation as a high-performing charter school.

(2) A high-performing charter school is authorized to:

(a) Increase its student enrollment once per school year to more than the capacity identified in the charter, but student enrollment may

not exceed the ~~current facility~~ capacity of the facility at the time the enrollment increase will take effect. Facility capacity for purposes of grade level expansion shall include any improvements to an existing facility or any new facility in which a majority of the students of the high-performing charter school will enroll.

A high-performing charter school shall notify its sponsor in writing by March 1 if it intends to increase enrollment or expand grade levels the following school year. The written notice shall specify the amount of the enrollment increase and the grade levels that will be added, as applicable. If a charter school notifies the sponsor of its intent to expand, the sponsor shall modify the charter within 90 days to include the new enrollment maximum and may not make any other changes. The sponsor may deny a request to increase the enrollment of a high-performing charter school if the commissioner has declassified the charter school as high-performing. If a high-performing charter school requests to consolidate multiple charters, the sponsor shall have 40 days after receipt of that request to provide an initial draft charter to the charter school. The sponsor and charter school shall have 50 days thereafter to negotiate and notice the charter contract for final approval by the sponsor.

(3)

(b) A high-performing charter school may not establish more than ~~two~~ ~~one~~ charter schools ~~school~~ within the state under paragraph (a) in any year. A subsequent application to establish a charter school under paragraph (a) may not be submitted unless each charter school established in this manner achieves high-performing charter school status. However, a high-performing charter school may establish more than one charter school within the state under paragraph (a) in any year if it operates in the area of a persistently low-performing school and serves students from that school.

Section 11. Paragraph (d) is added to subsection (10) of section 1002.333, Florida Statutes, to read:

1002.333 Persistently low-performing schools.—

(10) SCHOOLS OF HOPE PROGRAM.—The Schools of Hope Program is created within the Department of Education.

(d) *Notwithstanding s. 216.301 and pursuant to s. 216.351, funds allocated for the purpose of this subsection which are not disbursed by June 30 of the fiscal year in which the funds are allocated may be carried forward for up to 5 years after the effective date of the original appropriation.*

Section 12. Present paragraph (c) of subsection (9) of section 1002.37, Florida Statutes, is amended, and a new paragraph (c) is added to subsection (9) of that section, to read:

1002.37 The Florida Virtual School.—

(9)

(c) *Industry certification examinations, national assessments, and statewide assessments offered by the school district shall be available to all Florida Virtual School students.*

(d)(e) Unless an alternative testing site is mutually agreed to by the Florida Virtual School and the school district or as contracted under s. 1008.24, all *industry certification examinations, national assessments, and statewide assessments* must be taken at the school to which the student would be assigned according to district school board attendance areas. A school district must provide the student with access to the school's testing facilities and the date and time of the administration of each examination or assessment.

Section 13. Paragraph (e) of subsection (2), paragraphs (d) and (h) of subsection (5), subsection (8), paragraph (c) of subsection (9), paragraph (a) of subsection (10), and paragraph (a) of subsection (11) of section 1002.385, Florida Statutes, are amended, and paragraph (p) is added to subsection (5) of that section, to read:

1002.385 The Gardiner Scholarship.—

(2) DEFINITIONS.—As used in this section, the term:

(e) “Eligible nonprofit scholarship-funding organization” or “organization” means a nonprofit scholarship-funding organization that is approved pursuant to s. 1002.395(15) ~~s. 1002.395(16)~~.

(5) AUTHORIZED USES OF PROGRAM FUNDS.—Program funds must be used to meet the individual educational needs of an eligible student and may be spent for the following purposes:

(d) ~~Enrollment in,~~ or Tuition or fees associated with *full-time or part-time* enrollment in; a home education program, an eligible private school, an eligible postsecondary educational institution or a program offered by the *postsecondary* institution, a private tutoring program authorized under s. 1002.43, a virtual program offered by a department-approved private online provider that meets the provider qualifications specified in s. 1002.45(2)(a), the Florida Virtual School as a private paying student, or an approved online course offered pursuant to s. 1003.499 or s. 1004.0961.

(h) Tuition and fees for part-time tutoring services provided by a person who holds a valid Florida educator's certificate pursuant to s. 1012.56; a person who holds an adjunct teaching certificate pursuant to s. 1012.57; a person who has a bachelor's degree or a graduate degree in the subject area in which instruction is given; or a person who has demonstrated a mastery of subject area knowledge pursuant to s. 1012.56(5). As used in this paragraph, the term “part-time tutoring services” does not qualify as regular school attendance as defined in s. 1003.01(13)(e).

(p) *Tuition or fees associated with enrollment in a nationally or internationally recognized research-based training program for a child with a neurological disorder or brain damage.*

A provider of any services receiving payments pursuant to this subsection may not share, refund, or rebate any moneys from the Gardiner Scholarship with the parent or participating student in any manner. A parent, student, or provider of any services may not bill an insurance company, Medicaid, or any other agency for the same services that are paid for using Gardiner Scholarship funds.

(8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible private school may be sectarian or nonsectarian and shall:

(a) Comply with all requirements for private schools participating in state school choice scholarship programs pursuant to s. 1002.421.

~~(b) Provide to the organization, upon request, all documentation required for the student's participation, including the private school's and student's fee schedules.~~

~~(c) Be academically accountable to the parent for meeting the educational needs of the student by:~~

~~1. At a minimum, annually providing to the parent a written explanation of the student's progress.~~

~~(b)1.2.~~ Annually *administer or make* ~~administering or making~~ provision for students participating in the program in grades 3 through 10 to take one of the nationally norm-referenced tests identified by the Department of Education or the statewide assessments pursuant to s. 1008.22. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement. A participating private school shall report a student's scores to the parent.

~~2.3. Administer Cooperating with the scholarship student whose parent chooses to have the student participate in the statewide assessments pursuant to s. 1008.22 or, if a private school chooses to offer the statewide assessments, administering the assessments at the school.~~

~~a.~~ A participating private school may choose to offer and administer the statewide assessments to all students who attend the private school in grades 3 through 10 *and must*:

~~b.~~ A participating private school shall submit a request in writing to the Department of Education by March 1 of each year in order to administer the statewide assessments in the subsequent school year.

~~(d) Employ or contract with teachers who have regular and direct contact with each student receiving a scholarship under this section at the school's physical location.~~

~~(e) Provide a report from an independent certified public accountant who performs the agreed upon procedures developed under s. 1002.395(6)(c) if the private school receives more than \$250,000 in funds from scholarships awarded under this section in a state fiscal year. A private school subject to this paragraph must annually submit the report by September 15 to the organization that awarded the majority of the school's scholarship funds. The agreed upon procedures must be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants.~~

If a private school ~~fails is unable~~ to meet the requirements of this subsection ~~or s. 1002.421~~ ~~or has consecutive years of material exceptions listed in the report required under paragraph (e)~~, the commissioner may determine that the private school is ineligible to participate in the *scholarship* program.

(9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department shall:

(c) Investigate any written complaint of a violation of this section by a parent, a student, a private school, a public school or a school district, an organization, a provider, or another appropriate party in accordance with the process established by ~~s. 1002.421~~ ~~s. 1002.395(9)(f)~~.

(10) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—

(a) The Commissioner of Education:

1. May suspend or revoke program participation or use of program funds by the student or participation or eligibility of an organization, ~~eligible private school~~, eligible postsecondary educational institution, approved provider, or other party for a violation of this section.

2. May determine the length of, and conditions for lifting, a suspension or revocation specified in this subsection.

3. May recover unexpended program funds or withhold payment of an equal amount of program funds to recover program funds that were not authorized for use.

4. Shall deny or terminate program participation upon a parent's forfeiture of a Gardiner Scholarship pursuant to subsection (11).

(11) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM PARTICIPATION.—A parent who applies for program participation under this section is exercising his or her parental option to determine the appropriate placement or the services that best meet the needs of his or her child. The scholarship award for a student is based on a matrix that assigns the student to support Level III services. If a parent receives an IEP and a matrix of services from the school district pursuant to subsection (7), the amount of the payment shall be adjusted as needed, when the school district completes the matrix.

(a) To satisfy or maintain program eligibility, including eligibility to receive and spend program payments, the parent must sign an agreement with the organization and annually submit a notarized, sworn compliance statement to the organization to:

1. Affirm that the student is enrolled in a program that meets regular school attendance requirements as provided in s. 1003.01(13)(b)(d).

2. Affirm that the program funds are used only for authorized purposes serving the student's educational needs, as described in subsection (5).

3. Affirm that the parent is responsible for the education of his or her student by, as applicable:

a. Requiring the student to take an assessment in accordance with ~~paragraph (8)(b)~~ ~~paragraph (8)(e)~~;

b. Providing an annual evaluation in accordance with s. 1002.41(1)(c); or

c. Requiring the child to take any preassessments and postassessments selected by the provider if the child is 4 years of age and is enrolled in a program provided by an eligible Voluntary Pre-kindergarten Education Program provider. A student with disabilities for whom a preassessment and postassessment is not appropriate is exempt from this requirement. A participating provider shall report a student's scores to the parent.

4. Affirm that the student remains in good standing with the provider or school if those options are selected by the parent.

A parent who fails to comply with this subsection forfeits the Gardiner Scholarship.

Section 14. Subsections (8) through (14) of section 1002.39, Florida Statutes, are renumbered as subsections (7) through (13), respectively, and paragraph (b) of subsection (2), paragraph (h) of subsection (3), and present subsections (6), (7), and (8) of that section are amended, to read:

1002.39 The John M. McKay Scholarships for Students with Disabilities Program.—There is established a program that is separate and distinct from the Opportunity Scholarship Program and is named the John M. McKay Scholarships for Students with Disabilities Program.

(2) JOHN M. MCKAY SCHOLARSHIP ELIGIBILITY.—The parent of a student with a disability may request and receive from the state a John M. McKay Scholarship for the child to enroll in and attend a private school in accordance with this section if:

(b) The parent has obtained acceptance for admission of the student to a private school that is eligible for the program under ~~subsection (7)~~ ~~subsection (8)~~ and has requested from the department a scholarship at least 60 days before the date of the first scholarship payment. The request must be communicated directly to the department in a manner that creates a written or electronic record of the request and the date of receipt of the request. The department must notify the district of the parent's intent upon receipt of the parent's request.

(3) JOHN M. MCKAY SCHOLARSHIP PROHIBITIONS.—A student is not eligible for a John M. McKay Scholarship:

(h) While he or she is not having regular and direct contact with his or her private school teachers at the school's physical location unless he or she is enrolled in the private school's transition-to-work program pursuant to ~~subsection (9)~~ ~~subsection (10)~~; or

(6) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department shall:

~~(a) Establish a toll free hotline that provides parents and private schools with information on participation in the John M. McKay Scholarships for Students with Disabilities Program.~~

~~(b) Annually verify the eligibility of private schools that meet the requirements of subsection (8).~~

~~(c) Establish a process by which individuals may notify the department of any violation by a parent, private school, or school district of state laws relating to program participation. The department shall conduct an inquiry of any written complaint of a violation of this section, or make a referral to the appropriate agency for an investigation, if the complaint is signed by the complainant and is legally sufficient. A complaint is legally sufficient if it contains ultimate facts that show that a violation of this section or any rule adopted by the State Board of Education has occurred. In order to determine legal sufficiency, the department may require supporting information or documentation from the complainant. A department inquiry is not subject to the requirements of chapter 120.~~

~~(d) Require an annual, notarized, sworn compliance statement by participating private schools certifying compliance with state laws and shall retain such records.~~

~~(e) cross-check the list of participating scholarship students with the public school enrollment lists prior to each scholarship payment to avoid duplication.~~

~~(f)1. Conduct random site visits to private schools participating in the John M. McKay Scholarships for Students with Disabilities Pro-~~

gram. The purpose of the site visits is solely to verify the information reported by the schools concerning the enrollment and attendance of students, the credentials of teachers, background screening of teachers, and teachers' fingerprinting results, which information is required by rules of the State Board of Education, subsection (8), and s. 1002.421. The Department of Education may not make more than three random site visits each year and may not make more than one random site visit each year to the same private school.

2. Annually, by December 15, report to the Governor, the President of the Senate, and the Speaker of the House of Representatives the Department of Education's actions with respect to implementing accountability in the scholarship program under this section and s. 1002.421, any substantiated allegations or violations of law or rule by an eligible private school under this program concerning the enrollment and attendance of students, the credentials of teachers, background screening of teachers, and teachers' fingerprinting results and the corrective action taken by the Department of Education.

~~(7) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—~~

~~(a) The Commissioner of Education:~~

1. Shall deny, suspend, or revoke a private school's participation in the scholarship program if it is determined that the private school has failed to comply with the provisions of this section. However, if the noncompliance is correctable within a reasonable amount of time and if the health, safety, or welfare of the students is not threatened, the commissioner may issue a notice of noncompliance which provides the private school with a timeframe within which to provide evidence of compliance before taking action to suspend or revoke the private school's participation in the scholarship program.

2. May deny, suspend, or revoke a private school's participation in the scholarship program if the commissioner determines that an owner or operator of the private school is operating or has operated an educational institution in this state or in another state or jurisdiction in a manner contrary to the health, safety, or welfare of the public.

a. In making such a determination, the commissioner may consider factors that include, but are not limited to, acts or omissions by an owner or operator which led to a previous denial or revocation of participation in an education scholarship program; an owner's or operator's failure to reimburse the Department of Education for scholarship funds improperly received or retained by a school; imposition of a prior criminal sanction related to an owner's or operator's management or operation of an educational institution; imposition of a civil fine or administrative fine, license revocation or suspension, or program eligibility suspension, termination, or revocation related to an owner's or operator's management or operation of an educational institution; or other types of criminal proceedings in which an owner or operator was found guilty of, regardless of adjudication, or entered a plea of *nolo contendere* or guilty to, any offense involving fraud, deceit, dishonesty, or moral turpitude.

b. For purposes of this subparagraph, the term "owner or operator" includes an owner, operator, superintendent, or principal of, or a person who has equivalent decisionmaking authority over, a private school participating in the scholarship program.

~~(b) The commissioner's determination is subject to the following:~~

1. If the commissioner intends to deny, suspend, or revoke a private school's participation in the scholarship program, the department shall notify the private school of such proposed action in writing by certified mail and regular mail to the private school's address of record with the department. The notification shall include the reasons for the proposed action and notice of the timelines and procedures set forth in this paragraph.

2. The private school that is adversely affected by the proposed action shall have 15 days from receipt of the notice of proposed action to file with the department's agency clerk a request for a proceeding pursuant to ss. 120.569 and 120.57. If the private school is entitled to a hearing under s. 120.57(1), the department shall forward the request to the Division of Administrative Hearings.

3. Upon receipt of a request referred pursuant to this paragraph, the director of the Division of Administrative Hearings shall expedite the hearing and assign an administrative law judge who shall commence a hearing within 30 days after the receipt of the formal written request by the division and enter a recommended order within 30 days after the hearing or within 30 days after receipt of the hearing transcript, whichever is later. Each party shall be allowed 10 days in which to submit written exceptions to the recommended order. A final order shall be entered by the agency within 30 days after the entry of a recommended order. The provisions of this subparagraph may be waived upon stipulation by all parties.

~~(c) The commissioner may immediately suspend payment of scholarship funds if it is determined that there is probable cause to believe that there is:~~

1. An imminent threat to the health, safety, or welfare of the students; or

2. Fraudulent activity on the part of the private school. Notwithstanding s. 1002.22, in incidents of alleged fraudulent activity pursuant to this section, the Department of Education's Office of Inspector General is authorized to release personally identifiable records or reports of students to the following persons or organizations:

a. A court of competent jurisdiction in compliance with an order of that court or the attorney of record in accordance with a lawfully issued subpoena, consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

b. A person or entity authorized by a court of competent jurisdiction in compliance with an order of that court or the attorney of record pursuant to a lawfully issued subpoena, consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

c. Any person, entity, or authority issuing a subpoena for law enforcement purposes when the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g, and 34 C.F.R. s. 99.31.

The commissioner's order suspending payment pursuant to this paragraph may be appealed pursuant to the same procedures and timelines as the notice of proposed action set forth in paragraph (b).

~~(7)(8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—~~ To be eligible to participate in the John M. McKay Scholarships for Students with Disabilities Program, a private school may be sectarian or nonsectarian and must:

(a) Comply with all requirements for private schools participating in state school choice scholarship programs pursuant to s. 1002.421.

(b) Provide to the department all documentation required for a student's participation, including the private school's and student's fee schedules, at least 30 days before any quarterly scholarship payment is made for the student pursuant to *paragraph (10)(e) paragraph (11)(c)*. A student is not eligible to receive a quarterly scholarship payment if the private school fails to meet this deadline.

~~(c) Be academically accountable to the parent for meeting the educational needs of the student by:~~

1. At a minimum, annually providing to the parent a written explanation of the student's progress.

2. Cooperating with the scholarship student whose parent chooses to participate in the statewide assessments pursuant to s. 1008.22.

~~(d) Maintain in this state a physical location where a scholarship student regularly attends classes.~~

If the inability of a private school fails to meet the requirements of this subsection or s. 1002.421, the commissioner may determine that the private school is ineligible shall constitute a basis for the ineligibility of the private school to participate in the scholarship program as determined by the department.

Section 15. Present subsections (12) through (16) of section 1002.395, Florida Statutes, are renumbered as subsections (11) through (15), respectively, and paragraphs (f) and (j) of subsection (2), paragraphs (b), (c), (f), and (g) of subsection (5), paragraphs (n), (o), and (p) of subsection (6), subsections (8) and (9), and present subsection (11) of that section are amended, to read:

1002.395 Florida Tax Credit Scholarship Program.—

(2) DEFINITIONS.—As used in this section, the term:

(f) “Eligible nonprofit scholarship-funding organization” means a state university; or an independent college or university that is eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program, located and chartered in this state, is not for profit, and is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools; or is a charitable organization that:

1. Is exempt from federal income tax pursuant to s. 501(c)(3) of the Internal Revenue Code;
2. Is a Florida entity formed under chapter 605, chapter 607, or chapter 617 and whose principal office is located in the state; and
3. Complies with *subsections (6) and (15)* ~~subsections (6) and (16)~~.

(j) “Tax credit cap amount” means the maximum annual tax credit amount that the department may approve *for in* a state fiscal year.

(5) SCHOLARSHIP FUNDING TAX CREDITS; LIMITATIONS.—

(b) A taxpayer may submit an application to the department for a tax credit or credits under one or more of s. 211.0251, s. 212.1831, s. 220.1875, s. 561.1211, or s. 624.51055.

1. The taxpayer shall specify in the application each tax for which the taxpayer requests a credit and the applicable taxable year for a credit under s. 220.1875 or s. 624.51055 or the applicable state fiscal year for a credit under s. 211.0251, s. 212.1831, or s. 561.1211. *For purposes of s. 220.1875, a taxpayer may apply for a credit to be used for a prior taxable year before the date the taxpayer is required to file a return for that year pursuant to s. 220.222.* The department shall approve tax credits on a first-come, first-served basis and must obtain the division’s approval before approving a tax credit under s. 561.1211.

2. Within 10 days after approving or denying an application, the department shall provide a copy of its approval or denial letter to the eligible nonprofit scholarship-funding organization specified by the taxpayer in the application.

(c) If a tax credit approved under paragraph (b) is not fully used within the specified state fiscal year for credits under s. 211.0251, s. 212.1831, or s. 561.1211 or against taxes due for the specified taxable year for credits under s. 220.1875 or s. 624.51055 because of insufficient tax liability on the part of the taxpayer, the unused amount *shall may* be carried forward for a period not to exceed 10 ~~5~~ years. *For purposes of s. 220.1875, a credit carried forward may be used in a subsequent year after applying the other credits and unused carryovers in the order provided in s. 220.02(8). However, any taxpayer that seeks to carry forward an unused amount of tax credit must submit an application to the department for approval of the carryforward tax credit in the year that the taxpayer intends to use the carryforward. The department must obtain the division’s approval prior to approving the carryforward of a tax credit under s. 561.1211.*

(f) Within 10 days after approving or denying ~~an application for a carryforward tax credit under paragraph (c)~~, the conveyance, transfer, or assignment of a tax credit under paragraph (d), or the rescindment of a tax credit under paragraph (e), the department shall provide a copy of its approval or denial letter to the eligible nonprofit scholarship-funding organization specified by the taxpayer. The department shall also include the eligible nonprofit scholarship-funding organization specified by the taxpayer on all letters or correspondence of acknowledgment for tax credits under s. 212.1831.

(g) For purposes of calculating the underpayment of estimated corporate income taxes pursuant to s. 220.34 and tax installment payments for taxes on insurance premiums or assessments under s. 624.5092, the final amount due is the amount after credits earned under

s. 220.1875 or s. 624.51055 for contributions to eligible nonprofit scholarship-funding organizations are deducted.

1. For purposes of determining if a penalty or interest shall be imposed for underpayment of estimated corporate income tax pursuant to s. 220.34(2)(d)1., a taxpayer may, after earning a credit under s. 220.1875, reduce *any the following* estimated payment in that taxable year by the amount of the credit. This subparagraph applies to contributions made on or after July 1, 2014.

2. For purposes of determining if a penalty under s. 624.5092 shall be imposed, an insurer may, after earning a credit under s. 624.51055, reduce the following installment payment of 27 percent of the amount of the net tax due as reported on the return for the preceding year under s. 624.5092(2)(b) by the amount of the credit. This subparagraph applies to contributions made on or after July 1, 2014.

(6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS.—An eligible nonprofit scholarship-funding organization:

(n) Must prepare and submit quarterly reports to the Department of Education pursuant to *paragraph (9)(i) paragraph (9)(m)*. In addition, an eligible nonprofit scholarship-funding organization must submit in a timely manner any information requested by the Department of Education relating to the scholarship program.

(o)1.a. Must participate in the joint development of agreed-upon procedures ~~to be performed by an independent certified public accountant as required under paragraph (8)(c) if the scholarship-funding organization provided more than \$250,000 in scholarship funds to an eligible private school under this section~~ during the 2009-2010 state fiscal year. The agreed-upon procedures must uniformly apply to all private schools and must determine, at a minimum, whether the private school has been verified as eligible by the Department of Education under s. 1002.421 ~~paragraph (9)(c)~~; has an adequate accounting system, system of financial controls, and process for deposit and classification of scholarship funds; and has properly expended scholarship funds for education-related expenses. During the development of the procedures, the participating scholarship-funding organizations shall specify guidelines governing the materiality of exceptions that may be found during the accountant’s performance of the procedures. The procedures and guidelines shall be provided to private schools and the Commissioner of Education by March 15, 2011.

b. Must participate in a joint review of the agreed-upon procedures and guidelines developed under sub-subparagraph a., by February of ~~each biennium 2013 and biennially thereafter~~, if the scholarship-funding organization provided more than \$250,000 in scholarship funds to an eligible private school under this ~~chapter section~~ during the state fiscal year preceding the biennial review. If the procedures and guidelines are revised, the revisions must be provided to private schools and the Commissioner of Education by March 15 of the year in which the revisions were completed. *The revised agreed-upon procedures shall take effect the subsequent school year. For the 2018-2019 school year only, the joint review of the agreed-upon procedures must be completed and the revisions submitted to the commissioner no later than September 15, 2018. The revised procedures are applicable to the 2018-2019 school year, 2013, and biennially thereafter.*

c. Must monitor the compliance of a private school with s. 1002.421(1)(q) ~~paragraph (8)(c)~~ if the scholarship-funding organization provided the majority of the scholarship funding to the school. For each private school subject to s. 1002.421(1)(q) ~~paragraph (8)(c)~~, the appropriate scholarship-funding organization shall *annually* notify the Commissioner of Education by October 30, ~~2011, and annually thereafter~~ of:

(I) A private school’s failure to submit a report required under s. 1002.421(1)(q) ~~paragraph (8)(c)~~; or

(II) Any material exceptions set forth in the report required under s. 1002.421(1)(q) ~~paragraph (8)(c)~~.

2. Must seek input from the accrediting associations that are members of the Florida Association of Academic Nonpublic Schools *and the Department of Education* when jointly developing the agreed-upon procedures and guidelines under sub-subparagraph 1.a. and conducting

a review of those procedures and guidelines under sub-subparagraph 1.b.

(p) Must maintain the surety bond or letter of credit required by ~~subsection (15)~~ subsection (16). The amount of the surety bond or letter of credit may be adjusted quarterly to equal the actual amount of undisbursed funds based upon submission by the organization of a statement from a certified public accountant verifying the amount of undisbursed funds. The requirements of this paragraph are waived if the cost of acquiring a surety bond or letter of credit exceeds the average 10-year cost of acquiring a surety bond or letter of credit by 200 percent. The requirements of this paragraph are waived for a state university; or an independent college or university which is eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program, located and chartered in this state, is not for profit, and is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools.

Information and documentation provided to the Department of Education and the Auditor General relating to the identity of a taxpayer that provides an eligible contribution under this section shall remain confidential at all times in accordance with s. 213.053.

(8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible private school may be sectarian or nonsectarian and must:

(a) Comply with all requirements for private schools participating in state school choice scholarship programs pursuant to s. 1002.421.

(b) Provide to the eligible nonprofit scholarship funding organization, upon request, all documentation required for the student's participation, including the private school's and student's fee schedules.

(c) Be academically accountable to the parent for meeting the educational needs of the student by:

1. ~~At a minimum, annually providing to the parent a written explanation of the student's progress.~~

(b)1.2. ~~Annually administer or make administering or making provision for students participating in the scholarship program in grades 3 through 10 to take one of the nationally norm-referenced tests identified by the Department of Education or the statewide assessments pursuant to s. 1008.22. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement. A participating private school must report a student's scores to the parent. A participating private school must annually report by August 15 the scores of all participating students to a state university the Learning System Institute described in paragraph (9)(f) paragraph (9)(j).~~

2.3. ~~Administer Cooperating with the scholarship student whose parent chooses to have the student participate in the statewide assessments pursuant to s. 1008.22 or, if a private school chooses to offer the statewide assessments, administering the assessments at the school.~~

a. A participating private school may choose to offer and administer the statewide assessments to all students who attend the private school in grades 3 through 10 and:

b. A participating private school must submit a request in writing to the Department of Education by March 1 of each year in order to administer the statewide assessments in the subsequent school year.

(d) ~~Employ or contract with teachers who have regular and direct contact with each student receiving a scholarship under this section at the school's physical location.~~

(e) ~~Provide a report from an independent certified public accountant who performs the agreed-upon procedures developed under paragraph (6)(e) if the private school receives more than \$250,000 in funds from scholarships awarded under this section in a state fiscal year. A private school subject to this paragraph must annually submit the report by September 15 to the scholarship funding organization that awarded the majority of the school's scholarship funds. The agreed-upon procedures must be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants.~~

If a private school ~~fails is unable~~ to meet the requirements of this subsection ~~or s. 1002.421 or has consecutive years of material exceptions listed in the report required under paragraph (e)~~, the commissioner may determine that the private school is ineligible to participate in the scholarship program ~~as determined by the Department of Education.~~

(9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of Education shall:

(a) Annually submit to the department and division, by March 15, a list of eligible nonprofit scholarship-funding organizations that meet the requirements of paragraph (2)(f).

(b) Annually verify the eligibility of nonprofit scholarship-funding organizations that meet the requirements of paragraph (2)(f).

~~(c) Annually verify the eligibility of private schools that meet the requirements of subsection (8).~~

~~(c)(d)~~ Annually verify the eligibility of expenditures as provided in paragraph (6)(d) using the audit required by paragraph (6)(m) and s. 11.45(2)(l) ~~s. 11.45(2)(k).~~

~~(c) Establish a toll free hotline that provides parents and private schools with information on participation in the scholarship program.~~

~~(f) Establish a process by which individuals may notify the Department of Education of any violation by a parent, private school, or school district of state laws relating to program participation. The Department of Education shall conduct an inquiry of any written complaint of a violation of this section, or make a referral to the appropriate agency for an investigation, if the complaint is signed by the complainant and is legally sufficient. A complaint is legally sufficient if it contains ultimate facts that show that a violation of this section or any rule adopted by the State Board of Education has occurred. In order to determine legal sufficiency, the Department of Education may require supporting information or documentation from the complainant. A department inquiry is not subject to the requirements of chapter 120.~~

~~(g) Require an annual, notarized, sworn compliance statement by participating private schools certifying compliance with state laws and shall retain such records.~~

~~(d)(h)~~ Cross-check the list of participating scholarship students with the public school enrollment lists to avoid duplication.

~~(e)(i)~~ Maintain a list of nationally norm-referenced tests identified for purposes of satisfying the testing requirement in ~~subparagraph (8)(b)1~~ subparagraph (8)(c)2. The tests must meet industry standards of quality in accordance with State Board of Education rule.

~~(f)(j)~~ Issue a project grant award to a state university ~~the Learning System Institute at the Florida State University~~, to which participating private schools must report the scores of participating students on the nationally norm-referenced tests or the statewide assessments administered by the private school in grades 3 through 10. The project term is 2 years, and the amount of the project is up to \$250,000 ~~\$500,000~~ per year. The project grant award must be reissued in 2-year intervals in accordance with this paragraph.

1. The ~~state university Learning System Institute~~ must annually report to the Department of Education on the student performance of participating students:

a. On a statewide basis. The report shall also include, to the extent possible, a comparison of scholarship students' performance to the statewide student performance of public school students with socioeconomic backgrounds similar to those of students participating in the scholarship program. To minimize costs and reduce time required for the ~~state university's Learning System Institute's~~ analysis and evaluation, the Department of Education shall coordinate with the ~~state university Learning System Institute~~ to provide data to the ~~state university Learning System Institute~~ in order to conduct analyses of matched students from public school assessment data and calculate control group student performance using an agreed-upon methodology with the ~~state university Learning System Institute~~; and

b. On an individual school basis. The annual report must include student performance for each participating private school in which at least 51 percent of the total enrolled students in the private school participated in the Florida Tax Credit Scholarship Program in the prior school year. The report shall be according to each participating private school, and for participating students, in which there are at least 30 participating students who have scores for tests administered. If the ~~state university Learning System Institute~~ determines that the 30-participating-student cell size may be reduced without disclosing personally identifiable information, as described in 34 C.F.R. s. 99.12, of a participating student, the ~~state university Learning System Institute~~ may reduce the participating-student cell size, but the cell size must not be reduced to less than 10 participating students. The department shall provide each private school's prior school year's student enrollment information to the ~~state university Learning System Institute~~ no later than June 15 of each year, or as requested by the ~~state university Learning System Institute~~.

2. The sharing and reporting of student performance data under this paragraph must be in accordance with requirements of ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g, the Family Educational Rights and Privacy Act, and the applicable rules and regulations issued pursuant thereto, and shall be for the sole purpose of creating the annual report required by subparagraph 1. All parties must preserve the confidentiality of such information as required by law. The annual report must not disaggregate data to a level that will identify individual participating schools, except as required under sub-subparagraph 1.b., or disclose the academic level of individual students.

3. The annual report required by subparagraph 1. shall be published by the Department of Education on its website.

~~(g)(k)~~ Notify an eligible nonprofit scholarship-funding organization of any of the organization's identified students who are receiving educational scholarships pursuant to chapter 1002.

~~(h)(t)~~ Notify an eligible nonprofit scholarship-funding organization of any of the organization's identified students who are receiving tax credit scholarships from other eligible nonprofit scholarship-funding organizations.

~~(i)(m)~~ Require quarterly reports by an eligible nonprofit scholarship-funding organization regarding the number of students participating in the scholarship program, the private schools at which the students are enrolled, and other information deemed necessary by the Department of Education.

~~(n)1.~~ Conduct site visits to private schools participating in the Florida Tax Credit Scholarship Program. The purpose of the site visits is solely to verify the information reported by the schools concerning the enrollment and attendance of students, the credentials of teachers, background screening of teachers, and teachers' fingerprinting results. The Department of Education may not make more than seven site visits each year; however, the department may make additional site visits at any time to any school that has received a notice of noncompliance or a notice of proposed action within the previous 2 years.

~~2.~~ Annually, by December 15, report to the Governor, the President of the Senate, and the Speaker of the House of Representatives the Department of Education's actions with respect to implementing accountability in the scholarship program under this section and s. 1002.421, any substantiated allegations or violations of law or rule by an eligible private school under this program concerning the enrollment and attendance of students, the credentials of teachers, background screening of teachers, and teachers' fingerprinting results and the corrective action taken by the Department of Education.

~~(j)(e)~~ Provide a process to match the direct certification list with the scholarship application data submitted by any nonprofit scholarship-funding organization eligible to receive the 3-percent administrative allowance under paragraph (6)(j).

~~(p)~~ Upon the request of a participating private school, provide at no cost to the school the statewide assessments administered under s. 1008.22 and any related materials for administering the assessments. Students at a private school may be assessed using the statewide assessments if the addition of those students and the school does not cause the state to exceed its contractual caps for the number of students tested

~~and the number of testing sites. The state shall provide the same materials and support to a private school that it provides to a public school. A private school that chooses to administer statewide assessments under s. 1008.22 shall follow the requirements set forth in ss. 1008.22 and 1008.24, rules adopted by the State Board of Education to implement those sections, and district-level testing policies established by the district school board.~~

~~(11) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.~~

~~(a)1.~~ The Commissioner of Education shall deny, suspend, or revoke a private school's participation in the scholarship program if it is determined that the private school has failed to comply with the provisions of this section. However, in instances in which the noncompliance is correctable within a reasonable amount of time and in which the health, safety, or welfare of the students is not threatened, the commissioner may issue a notice of noncompliance that shall provide the private school with a timeframe within which to provide evidence of compliance prior to taking action to suspend or revoke the private school's participation in the scholarship program.

~~2.~~ The Commissioner of Education may deny, suspend, or revoke a private school's participation in the scholarship program if the commissioner determines that:

a.—An owner or operator of a private school has exhibited a previous pattern of failure to comply with this section or s. 1002.421; or

b.—An owner or operator of the private school is operating or has operated an educational institution in this state or another state or jurisdiction in a manner contrary to the health, safety, or welfare of the public.

In making the determination under this subparagraph, the commissioner may consider factors that include, but are not limited to, acts or omissions by an owner or operator that led to a previous denial or revocation of participation in an education scholarship program; an owner's or operator's failure to reimburse the Department of Education or a nonprofit scholarship funding organization for scholarship funds improperly received or retained by a school; imposition of a prior criminal sanction, civil fine, administrative fine, license revocation or suspension, or program eligibility suspension, termination, or revocation related to an owner's or operator's management or operation of an educational institution; or other types of criminal proceedings in which the owner or operator was found guilty of, regardless of adjudication, or entered a plea of *nolo contendere* or guilty to, any offense involving fraud, deceit, dishonesty, or moral turpitude.

~~(b)~~ The commissioner's determination is subject to the following:

1.—If the commissioner intends to deny, suspend, or revoke a private school's participation in the scholarship program, the Department of Education shall notify the private school of such proposed action in writing by certified mail and regular mail to the private school's address of record with the Department of Education. The notification shall include the reasons for the proposed action and notice of the timelines and procedures set forth in this paragraph.

2.—The private school that is adversely affected by the proposed action shall have 15 days from receipt of the notice of proposed action to file with the Department of Education's agency clerk a request for a proceeding pursuant to ss. 120.569 and 120.57. If the private school is entitled to a hearing under s. 120.57(1), the Department of Education shall forward the request to the Division of Administrative Hearings.

3.—Upon receipt of a request referred pursuant to this paragraph, the director of the Division of Administrative Hearings shall expedite the hearing and assign an administrative law judge who shall commence a hearing within 30 days after the receipt of the formal written request by the division and enter a recommended order within 30 days after the hearing or within 30 days after receipt of the hearing transcript, whichever is later. Each party shall be allowed 10 days in which to submit written exceptions to the recommended order. A final order shall be entered by the agency within 30 days after the entry of a recommended order. The provisions of this subparagraph may be waived upon stipulation by all parties.

~~(c) The commissioner may immediately suspend payment of scholarship funds if it is determined that there is probable cause to believe that there is:~~

~~1. An imminent threat to the health, safety, and welfare of the students;~~

~~2. A previous pattern of failure to comply with this section or s. 1002.421; or~~

~~3. Fraudulent activity on the part of the private school. Notwithstanding s. 1002.22, in incidents of alleged fraudulent activity pursuant to this section, the Department of Education's Office of Inspector General is authorized to release personally identifiable records or reports of students to the following persons or organizations:~~

~~a. A court of competent jurisdiction in compliance with an order of that court or the attorney of record in accordance with a lawfully issued subpoena, consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.~~

~~b. A person or entity authorized by a court of competent jurisdiction in compliance with an order of that court or the attorney of record pursuant to a lawfully issued subpoena, consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.~~

~~e. Any person, entity, or authority issuing a subpoena for law enforcement purposes when the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g, and 34 C.F.R. s. 99.31.~~

The commissioner's order suspending payment pursuant to this paragraph may be appealed pursuant to the same procedures and timelines as the notice of proposed action set forth in paragraph (b).

Section 16. Effective upon this act becoming a law, section 1002.40, Florida Statutes, is created to read:

1002.40 The Hope Scholarship Program.—

(1) *PURPOSE.—The Hope Scholarship Program is established to provide the parent of a public school student who was subjected to an incident listed in subsection (3) an opportunity to transfer the student to another public school or to request a scholarship for the student to enroll in and attend an eligible private school.*

(2) *DEFINITIONS.—As used in this section, the term:*

(a) *“Dealer” has the same meaning as provided in s. 212.06.*

(b) *“Department” means the Department of Education.*

(c) *“Designated agent” has the same meaning as provided in s. 212.06(10).*

(d) *“Eligible contribution” or “contribution” means a monetary contribution from a person purchasing a motor vehicle, subject to the restrictions provided in this section, to an eligible nonprofit scholarship-funding organization. The person making the contribution may not designate a specific student as the beneficiary of the contribution.*

(e) *“Eligible nonprofit scholarship-funding organization” or “organization” has the same meaning as provided in s. 1002.395(2)(f).*

(f) *“Eligible private school” has the same meaning as provided in s. 1002.395(2)(g).*

(g) *“Motor vehicle” has the same meaning as provided in s. 320.01(1)(a), but does not include a heavy truck, truck tractor, trailer, or motorcycle.*

(h) *“Parent” means a resident of this state who is a parent, as defined in s. 1000.21, and whose student reported an incident in accordance with subsection (6).*

(i) *“Program” means the Hope Scholarship Program.*

(j) *“School” means any educational program or activity conducted by a public K-12 educational institution, any school-related or school-sponsored program or activity, and riding on a school bus, as defined in s. 1006.25(1), including waiting at a school bus stop.*

(k) *“Unweighted FTE funding amount” means the statewide average total funds per unweighted full-time equivalent funding amount that is incorporated by reference in the General Appropriations Act, or by a subsequent special appropriations act, for the applicable state fiscal year.*

(3) *PROGRAM ELIGIBILITY.—Beginning with the 2018-2019 school year, contingent upon available funds, and on a first-come, first-served basis, a student enrolled in a Florida public school in kindergarten through grade 12 is eligible for a scholarship under this program if the student reported an incident in accordance with subsection (6). For purposes of this section, the term “incident” means battery; harassment; hazing; bullying; kidnapping; physical attack; robbery; sexual offenses, harassment, assault, or battery; threat or intimidation; or fighting at school, as defined by the department in accordance with s. 1006.09(6).*

(4) *PROGRAM PROHIBITIONS.—Payment of a scholarship to a student enrolled in a private school may not be made if a student is:*

(a) *Enrolled in a public school, including, but not limited to, the Florida School for the Deaf and the Blind; the College-Preparatory Boarding Academy; a developmental research school authorized under s. 1002.32; or a charter school authorized under s. 1002.33, s. 1002.331, or s. 1002.332;*

(b) *Enrolled in a school operating for the purpose of providing educational services to youth in the Department of Juvenile Justice commitment programs;*

(c) *Participating in a virtual school, correspondence school, or distance learning program that receives state funding pursuant to the student's participation unless the participation is limited to no more than two courses per school year; or*

(d) *Receiving any other educational scholarship pursuant to this chapter.*

(5) *TERM OF HOPE SCHOLARSHIP.—For purposes of continuity of educational choice, a Hope scholarship shall remain in force until the student returns to public school or graduates from high school, whichever occurs first. A scholarship student who enrolls in a public school or public school program is considered to have returned to a public school for the purpose of determining the end of the scholarship's term.*

(6) *SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.—*

(a) *Upon receipt of a report of an incident, the school principal, or his or her designee, shall provide a copy of the report to the parent and investigate the incident to determine if the incident must be reported as required by s. 1006.09(6). Within 24 hours after receipt of the report, the principal or his or her designee shall provide a copy of the report to the parent of the alleged offender and to the superintendent. Upon conclusion of the investigation or within 15 days after the incident was reported, whichever occurs first, the school district shall notify the parent of the program and offer the parent an opportunity to enroll his or her student in another public school that has capacity or to request and receive a scholarship to attend an eligible private school, subject to available funding. A parent who chooses to enroll his or her student in a public school located outside the district in which the student resides pursuant to s. 1002.31 shall be eligible for a scholarship to transport the student as provided in paragraph (11)(b).*

(b) *For each student participating in the program in an eligible private school who chooses to participate in the statewide assessments under s. 1008.22 or the Florida Alternate Assessment, the school district in which the student resides must notify the student and his or her parent about the locations and times to take all statewide assessments.*

(7) *PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible private school may be sectarian or nonsectarian and shall:*

(a) Comply with all requirements for private schools participating in state school choice scholarship programs pursuant to this section and s. 1002.421.

(b)1. Annually administer or make provision for students participating in the program in grades 3 through 10 to take one of the nationally norm-referenced tests identified by the department or the statewide assessments pursuant to s. 1008.22. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement. A participating private school shall report a student's scores to his or her parent.

2. Administer the statewide assessments pursuant to s. 1008.22 if a private school chooses to offer the statewide assessments. A participating private school may choose to offer and administer the statewide assessments to all students who attend the private school in grades 3 through 10 and must submit a request in writing to the department by March 1 of each year in order to administer the statewide assessments in the subsequent school year.

If a private school fails to meet the requirements of this subsection or s. 1002.421, the commissioner may determine that the private school is ineligible to participate in the program.

(8) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department shall:

(a) Cross-check the list of participating scholarship students with the public school enrollment lists to avoid duplication.

(b) Maintain a list of nationally norm-referenced tests identified for purposes of satisfying the testing requirement in paragraph (9)(f). The tests must meet industry standards of quality in accordance with State Board of Education rule.

(c) Require quarterly reports by an eligible nonprofit scholarship-funding organization regarding the number of students participating in the program, the private schools in which the students are enrolled, and other information deemed necessary by the department.

(d) Contract with an independent entity to provide an annual evaluation of the program by:

1. Reviewing the school bullying prevention education program, climate and code of student conduct of each public school from which 10 or more students transferred to another public school or private school using the Hope scholarship to determine areas in the school or school district procedures involving reporting, investigating, and communicating a parent's and student's rights that are in need of improvement. At a minimum, the review must include:

a. An assessment of the investigation time and quality of the response of the school and the school district.

b. An assessment of the effectiveness of communication procedures with the students involved in an incident, the students' parents, and the school and school district personnel.

c. An analysis of school incident and discipline data.

d. The challenges and obstacles relating to implementing recommendations from the review.

2. Reviewing the school bullying prevention education program, climate and code of student conduct of each public school to which a student transferred if the student was from a school identified in subparagraph 1. in order to identify best practices and make recommendations to a public school at which the incidents occurred.

3. Reviewing the performance of participating students enrolled in a private school in which at least 51 percent of the total enrolled students in the prior school year participated in the program and in which there are at least 10 participating students who have scores for tests administered.

4. Surveying the parents of participating students to determine academic, safety, and school climate satisfaction and to identify any challenges to or obstacles in addressing the incident or relating to the use of the scholarship.

(9) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM PARTICIPATION.—A parent who applies for a Hope scholarship is exercising his or her parental option to place his or her student in an eligible private school.

(a) The parent must select an eligible private school and apply for the admission of his or her student.

(b) The parent must inform the student's school district when the parent withdraws his or her student to attend an eligible private school.

(c) Any student participating in the program must remain in attendance throughout the school year unless excused by the school for illness or other good cause.

(d) Each parent and each student has an obligation to the private school to comply with such school's published policies.

(e) Upon reasonable notice to the department and the school district, the parent may remove the student from the private school and place the student in a public school in accordance with this section.

(f) The parent must ensure that the student participating in the program takes the norm-referenced assessment offered by the private school. The parent may also choose to have the student participate in the statewide assessments pursuant to s. 1008.22. If the parent requests that the student take the statewide assessments pursuant to s. 1008.22 and the private school has not chosen to offer and administer the statewide assessments, the parent is responsible for transporting the student to the assessment site designated by the school district.

(g) Upon receipt of a scholarship warrant, the parent to whom the warrant is made must restrictively endorse the warrant to the private school for deposit into the account of such school. If payment is made by funds transfer in accordance with paragraph (11)(d), the parent must approve each payment before the scholarship funds may be deposited. The parent may not designate any entity or individual associated with the participating private school as the parent's attorney in fact to endorse a scholarship warrant or approve a funds transfer. A parent who fails to comply with this paragraph forfeits the scholarship.

(10) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS.—An eligible nonprofit scholarship-funding organization may establish scholarships for eligible students by:

(a) Receiving applications and determining student eligibility in accordance with the requirements of this section.

(b) Notifying parents of their receipt of a scholarship on a first-come, first-served basis, based upon available funds.

(c) Establishing a date by which the parent of a participating student must confirm continuing participation in the program.

(d) Awarding scholarship funds to eligible students, giving priority to renewing students from the previous year.

(e) Preparing and submitting quarterly reports to the department pursuant to paragraph (8)(c). In addition, an eligible nonprofit scholarship-funding organization must submit in a timely manner any information requested by the department relating to the program.

(f) Notifying the department of any violation of this section.

(11) FUNDING AND PAYMENT.—

(a) The maximum amount awarded to a student enrolled in an eligible private school shall be determined as a percentage of the unweighted FTE funding amount for that state fiscal year and thereafter as follows:

1. Eighty-eight percent for a student enrolled in kindergarten through grade 5.

2. Ninety-two percent for a student enrolled in grade 6 through grade 8.

3. *Ninety-six percent for a student enrolled in grade 9 through grade 12.*

(b) *The maximum amount awarded to a student enrolled in a public school located outside of the district in which the student resides shall be \$750.*

(c) *When a student enters the program, the eligible nonprofit scholarship-funding organization must receive all documentation required for the student's participation, including a copy of the report of the incident received pursuant to subsection (6) and the private school's and student's fee schedules. The initial payment shall be made after verification of admission acceptance, and subsequent payments shall be made upon verification of continued enrollment and attendance at the private school.*

(d) *Payment of the scholarship by the eligible nonprofit scholarship-funding organization may be by individual warrant made payable to the student's parent or by funds transfer, including, but not limited to, debit cards, electronic payment cards, or any other means of payment that the department deems to be commercially viable or cost-effective. If payment is made by warrant, the warrant must be delivered by the eligible nonprofit scholarship-funding organization to the private school of the parent's choice, and the parent shall restrictively endorse the warrant to the private school. If payments are made by funds transfer, the parent must approve each payment before the scholarship funds may be deposited. The parent may not designate any entity or individual associated with the participating private school as the parent's attorney in fact to endorse a scholarship warrant or approve a funds transfer.*

(e) *An eligible nonprofit scholarship-funding organization shall obtain verification from the private school of a student's continued attendance at the school for each period covered by a scholarship payment.*

(f) *Payment of the scholarship shall be made by the eligible nonprofit scholarship-funding organization no less frequently than on a quarterly basis.*

(g) *An eligible nonprofit scholarship-funding organization may use up to 3 percent of eligible contributions received during the state fiscal year in which such contributions are collected for administrative expenses if the organization has operated as an eligible nonprofit scholarship-funding organization for at least the preceding 3 fiscal years and did not have any findings of material weakness or material non-compliance in its most recent audit under s. 1002.395(6)(m). Such administrative expenses must be reasonable and necessary for the organization's management and distribution of eligible contributions under this section. Funds authorized under this paragraph may not be used for lobbying or political activity or expenses related to lobbying or political activity. Up to one-third of the funds authorized for administrative expenses under this paragraph may be used for expenses related to the recruitment of contributions. An eligible nonprofit scholarship-funding organization may not charge an application fee.*

(h) *Moneys received pursuant to this section do not constitute taxable income to the qualified student or his or her parent.*

(12) OBLIGATIONS OF THE AUDITOR GENERAL.—

(a) *The Auditor General shall conduct an annual operational audit of accounts and records of each organization that participates in the program. As part of this audit, the Auditor General shall verify, at a minimum, the total number of students served and transmit that information to the department. The Auditor General shall provide the commissioner with a copy of each annual operational audit performed pursuant to this paragraph within 10 days after the audit is finalized.*

(b) *The Auditor General shall notify the department of any organization that fails to comply with a request for information.*

(13) SCHOLARSHIP FUNDING TAX CREDITS.—

(a) *A tax credit is available under s. 212.1832(1) for use by a person that makes an eligible contribution. Each eligible contribution is limited to a single payment of \$105 per motor vehicle purchased at the time of purchase of a motor vehicle or a single payment of \$105 per motor vehicle purchased at the time of registration of a motor vehicle that was not purchased from a dealer, except that a contribution may not exceed the state tax imposed under chapter 212 that would otherwise be collected*

from the purchaser by a dealer, designated agent, or private tag agent. Payments of contributions shall be made to a dealer at the time of purchase of a motor vehicle or to a designated agent or private tag agent at the time of registration of a motor vehicle that was not purchased from a dealer. An eligible contribution shall be accompanied by a contribution election form provided by the Department of Revenue. The form shall include, at a minimum, the following brief description of the Hope Scholarship Program: "THE HOPE SCHOLARSHIP PROGRAM PROVIDES A PUBLIC SCHOOL STUDENT WHO WAS SUBJECTED TO AN INCIDENT OF VIOLENCE OR BULLYING AT SCHOOL THE OPPORTUNITY TO APPLY FOR A SCHOLARSHIP TO ATTEND AN ELIGIBLE PRIVATE SCHOOL RATHER THAN REMAIN IN AN UNSAFE SCHOOL ENVIRONMENT." The form shall also include, at a minimum, a section allowing the consumer to designate, from all participating scholarship funding organizations, which organization will receive his or her donation. For purposes of this subsection, the term "purchase" does not include the lease or rental of a motor vehicle.

(b) *A dealer, designated agent, or private tag agent shall:*

1. *Provide the purchaser the contribution election form, as provided by the Department of Revenue, at the time of purchase of a motor vehicle or at the time of registration of a motor vehicle that was not purchased from a dealer.*

2. *Collect eligible contributions.*

3. *Using a form provided by the Department of Revenue, which shall include the dealer's or agent's federal employer identification number, remit to an organization no later than the date the return filed pursuant to s. 212.11 is due the total amount of contributions made to that organization and collected during the preceding reporting period. Using the same form, the dealer or agent shall also report this information to the Department of Revenue no later than the date the return filed pursuant to s. 212.11 is due.*

4. *Report to the Department of Revenue on each return filed pursuant to s. 212.11 the total amount of credits granted under s. 212.1832 for the preceding reporting period.*

(c) *An organization shall report to the Department of Revenue, on or before the 20th day of each month, the total amount of contributions received pursuant to paragraph (b) in the preceding calendar month on a form provided by the Department of Revenue. Such report shall include:*

1. *The federal employer identification number of each designated agent, private tag agent, or dealer who remitted contributions to the organization during that reporting period.*

2. *The amount of contributions received from each designated agent, private tag agent, or dealer during that reporting period.*

(d) *A person who, with the intent to unlawfully deprive or defraud the program of its moneys or the use or benefit thereof, fails to remit a contribution collected under this section is guilty of theft, punishable as follows:*

1. *If the total amount stolen is less than \$300, the offense is a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. Upon a second conviction, the offender is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. Upon a third or subsequent conviction, the offender is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.*

2. *If the total amount stolen is \$300 or more, but less than \$20,000, the offense is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.*

3. *If the total amount stolen is \$20,000 or more, but less than \$100,000, the offense is a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.*

4. *If the total amount stolen is \$100,000 or more, the offense is a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.*

(e) A person convicted of an offense under paragraph (d) shall be ordered by the sentencing judge to make restitution to the organization in the amount that was stolen from the program.

(f) Upon a finding that a dealer failed to remit a contribution under subparagraph (b)3. for which the dealer claimed a credit pursuant to s. 212.1832(2), the Department of Revenue shall notify the affected organizations of the dealer's name, address, federal employer identification number, and information related to differences between credits taken by the dealer pursuant to s. 212.1832(2) and amounts remitted to the eligible nonprofit scholarship-funding organization under subparagraph (b)3.

(g) Any dealer, designated agent, private tag agent, or organization that fails to timely submit reports to the Department of Revenue as required in paragraphs (b) and (c) is subject to a penalty of \$1,000 for every month, or part thereof, the report is not provided, up to a maximum amount of \$10,000. Such penalty shall be collected by the Department of Revenue and shall be transferred into the General Revenue Fund. Such penalty must be settled or compromised if it is determined by the Department of Revenue that the noncompliance is due to reasonable cause and not due to willful negligence, willful neglect, or fraud.

(14) **LIABILITY.**—The state is not liable for the award of or any use of awarded funds under this section.

(15) **SCOPE OF AUTHORITY.**—This section does not expand the regulatory authority of this state, its officers, or any school district to impose additional regulation on participating private schools beyond those reasonably necessary to enforce requirements expressly set forth in this section.

(16) **RULES.**—The State Board of Education shall adopt rules to administer this section, except the Department of Revenue shall adopt rules to administer subsection (13).

Section 17. Section 1002.411, Florida Statutes, is created to read:

1002.411 Reading scholarship accounts.—

(1) **READING SCHOLARSHIP ACCOUNTS.**—Reading scholarship accounts are established to provide educational options for students.

(2) **ELIGIBILITY.**—Contingent upon available funds, and on a first-come, first-served basis, each student in grades 3 through 5 who is enrolled in a Florida public school is eligible for a reading scholarship account if the student scored below a Level 3 on the grade 3 or grade 4 statewide, standardized English Language Arts (ELA) assessment in the prior school year. An eligible student who is classified as an English Language Learner and is enrolled in a program or receiving services that are specifically designed to meet the instructional needs of English Language Learner students shall receive priority.

(3) **PARENT AND STUDENT RESPONSIBILITIES FOR PARTICIPATION.**—

(a) For an eligible student to receive a reading scholarship account, the student's parent must:

1. Submit an application to an eligible nonprofit scholarship-funding organization by the deadline established by such organization; and

2. Submit eligible expenses to the eligible nonprofit scholarship-funding organization for reimbursement of qualifying expenditures, which may include:

a. Instructional materials.

b. Curriculum. As used in this sub-subparagraph, the term "curriculum" means a complete course of study for a particular content area or grade level, including any required supplemental materials and associated online instruction.

c. Tuition and fees for part-time tutoring services provided by a person who holds a valid Florida educator's certificate pursuant to s. 1012.56; a person who holds a baccalaureate or graduate degree in the subject area; a person who holds an adjunct teaching certificate pursuant to s. 1012.57; or a person who has demonstrated a mastery of subject area knowledge pursuant to s. 1012.56(5).

d. Fees for summer education programs designed to improve reading or literacy skills.

e. Fees for after-school education programs designed to improve reading or literacy skills.

A provider of any services receiving payments pursuant to this subparagraph may not share any moneys from the reading scholarship with, or provide a refund or rebate of any moneys from such scholarship to, the parent or participating student in any manner. A parent, student, or provider of any services may not bill an insurance company, Medicaid, or any other agency for the same services that are paid for using reading scholarship funds.

(b) The parent is responsible for the payment of all eligible expenses in excess of the amount in the account in accordance with the terms agreed to between the parent and any providers and may not receive any refund or rebate of any expenditures made in accordance with paragraph (a).

(4) **ADMINISTRATION.**—An eligible nonprofit scholarship-funding organization participating in the Florida Tax Credit Scholarship Program established by s. 1002.395 may establish reading scholarship accounts for eligible students in accordance with the requirements of eligible nonprofit scholarship-funding organizations under this chapter.

(5) **DEPARTMENT OBLIGATIONS.**—The department shall have the same duties imposed by this chapter upon the department regarding oversight of scholarship programs administered by an eligible nonprofit scholarship-funding organization.

(6) **SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.**—By September 30, the school district shall notify the parent of each student in grades 3 through 5 who scored below a level 3 on the statewide, standardized ELA assessment in the prior school year of the process to request and receive a reading scholarship, subject to available funds.

(7) **ACCOUNT FUNDING AND PAYMENT.**—

(a) For the 2018-2019 school year, the amount of the scholarship shall be \$500 per eligible student. Thereafter, the maximum amount granted for an eligible student shall be provided in the General Appropriations Act.

(b) One hundred percent of the funds appropriated for the reading scholarship accounts shall be released to the department at the beginning of the first quarter of each fiscal year.

(c) Upon notification from the eligible nonprofit scholarship-funding organization that a student has been determined eligible for a reading scholarship, the department shall release the student's scholarship funds to such organization to be deposited into the student's account.

(d) Accrued interest in the student's account is in addition to, and not part of, the awarded funds. Account funds include both the awarded funds and accrued interest.

(e) The eligible nonprofit scholarship-funding organization may develop a system for payment of scholarship funds by funds transfer, including, but not limited to, debit cards, electronic payment cards, or any other means of payment that the department deems to be commercially viable or cost-effective. A student's scholarship award may not be reduced for debit card or electronic payment fees. Commodities or services related to the development of such a system shall be procured by competitive solicitation unless they are purchased from a state term contract pursuant to s. 287.056.

(f) Payment of the scholarship shall be made by the eligible nonprofit scholarship-funding organization no less frequently than on a quarterly basis.

(g) In addition to funds appropriated for scholarships and subject to a separate, specific legislative appropriation, an organization may receive an amount equivalent to not more than 3 percent of the amount of each scholarship from state funds for administrative expenses if the organization has operated as a nonprofit entity for at least the preceding 3 fiscal years and did not have any findings of material weakness or material noncompliance in its most recent audit under s. 1002.395. Such

administrative expenses must be reasonable and necessary for the organization's management and distribution of scholarships under this section. Funds authorized under this paragraph may not be used for lobbying or political activity or expenses related to lobbying or political activity. An organization may not charge an application fee for a scholarship. Administrative expenses may not be deducted from funds appropriated for scholarships.

(h) Moneys received pursuant to this section do not constitute taxable income to the qualified student or his or her parent.

(i) A student's scholarship account must be closed and any remaining funds shall revert to the state after:

1. Denial or revocation of scholarship eligibility by the commissioner for fraud or abuse, including, but not limited to, the student or student's parent accepting any payment, refund, or rebate, in any manner, from a provider of any services received pursuant to subsection (3); or

2. Three consecutive fiscal years in which an account has been inactive.

(8) **LIABILITY.**—No liability shall arise on the part of the state based on the award or use of a reading scholarship account.

Section 18. Section 1002.421, Florida Statutes, is amended to read:

1002.421 ~~Accountability of private schools participating in State school choice scholarship program accountability and oversight programs.—~~

(1) **PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.**—A Florida private school participating in the Florida Tax Credit Scholarship Program established pursuant to s. 1002.395 or an educational scholarship program established pursuant to this chapter must be a private school as defined in s. 1002.01(2) in this state, be registered, and be in compliance ~~comply~~ with all requirements of this section in addition to private school requirements outlined in s. 1002.42, specific requirements identified within respective scholarship program laws, and other provisions of Florida law that apply to private schools, and must:

~~(2) A private school participating in a scholarship program must be a Florida private school as defined in s. 1002.01(2), must be registered in accordance with s. 1002.42, and must:~~

(a) Comply with the antidiscrimination provisions of 42 U.S.C. s. 2000d.

(b) Notify the department of its intent to participate in a scholarship program.

(c) Notify the department of any change in the school's name, school director, mailing address, or physical location within 15 days after the change.

(d) Provide to the department or scholarship-funding organization all documentation required for a student's participation, including the private school's and student's individual fee schedule, and ~~Complete student enrollment and attendance verification requirements, including use of an online attendance verification as required by the department or scholarship-funding organization form,~~ prior to scholarship payment.

(e) Annually complete and submit to the department a notarized scholarship compliance statement certifying that all school employees and contracted personnel with direct student contact have undergone background screening pursuant to s. 943.0542 and have met the screening standards as provided in s. 435.04.

(f) Demonstrate fiscal soundness and accountability by:

1. Being in operation for at least 3 school years or obtaining a surety bond or letter of credit for the amount equal to the scholarship funds for any quarter and filing the surety bond or letter of credit with the department.

2. Requiring the parent of each scholarship student to personally restrictively endorse the scholarship warrant to the school or to approve a funds transfer before any funds are deposited for a student. The school may not act as attorney in fact for the parent of a scholarship student

under the authority of a power of attorney executed by such parent, or under any other authority, to endorse a scholarship warrant or approve a funds transfer ~~warrants~~ on behalf of such parent.

(g) Meet applicable state and local health, safety, and welfare laws, codes, and rules, including:

1. Firesafety.
2. Building safety.

(h) Employ or contract with teachers who hold baccalaureate or higher degrees, have at least 3 years of teaching experience in public or private schools, or have special skills, knowledge, or expertise that qualifies them to provide instruction in subjects taught.

(i) Maintain a physical location in the state at which each student has regular and direct contact with teachers.

(j) Publish on the school's website, or provide in a written format, information for parents regarding the school, including, but not limited to, programs, services, and the qualifications of classroom teachers.

(k) At a minimum, provide the parent of each scholarship student with a written explanation of the student's progress on a quarterly basis.

(l) Cooperate with a student whose parent chooses to participate in the statewide assessments pursuant to s. 1008.22.

(m) ~~(+)~~ Require each employee and contracted personnel with direct student contact, upon employment or engagement to provide services, to undergo a state and national background screening, pursuant to s. 943.0542, by electronically filing with the Department of Law Enforcement a complete set of fingerprints taken by an authorized law enforcement agency or an employee of the private school, a school district, or a private company who is trained to take fingerprints and deny employment to or terminate an employee if he or she fails to meet the screening standards under s. 435.04. Results of the screening shall be provided to the participating private school. For purposes of this paragraph:

1. An "employee or contracted personnel with direct student contact" means any employee or contracted personnel who has unsupervised access to a scholarship student for whom the private school is responsible.

2. The costs of fingerprinting and the background check shall not be borne by the state.

3. Continued employment of an employee or contracted personnel after notification that he or she has failed the background screening under this paragraph shall cause a private school to be ineligible for participation in a scholarship program.

4. An employee or contracted personnel holding a valid Florida teaching certificate who has been fingerprinted pursuant to s. 1012.32 is not required to comply with the provisions of this paragraph.

~~5.(3)(a)~~ All fingerprints submitted to the Department of Law Enforcement as required by this section shall be retained by the Department of Law Enforcement in a manner provided by rule and entered in the statewide automated biometric identification system authorized by s. 943.05(2)(b). Such fingerprints shall thereafter be available for all purposes and uses authorized for arrest fingerprints entered in the statewide automated biometric identification system pursuant to s. 943.051.

~~6.(b)~~ The Department of Law Enforcement shall search all arrest fingerprints received under s. 943.051 against the fingerprints retained in the statewide automated biometric identification system under ~~subparagraph 5 paragraph (a)~~ paragraph (a). Any arrest record that is identified with the retained fingerprints of a person subject to the background screening under this section shall be reported to the employing school with which the person is affiliated. Each private school participating in a scholarship program is required to participate in this search process by informing the Department of Law Enforcement of any change in the employment or contractual status of its personnel whose fingerprints are retained under ~~subparagraph 5 paragraph (a)~~ paragraph (a). The Department of Law Enforcement shall adopt a rule setting the amount of the annual

fee to be imposed upon each private school for performing these searches and establishing the procedures for the retention of private school employee and contracted personnel fingerprints and the dissemination of search results. The fee may be borne by the private school or the person fingerprinted.

7.(e) Employees and contracted personnel whose fingerprints are not retained by the Department of Law Enforcement under *subparagraphs 5. and 6. paragraphs (a) and (b)* are required to be re-fingerprinted and must meet state and national background screening requirements upon reemployment or reengagement to provide services in order to comply with the requirements of this section.

8.(d) Every 5 years following employment or engagement to provide services with a private school, employees or contracted personnel required to be screened under this section must meet screening standards under s. 435.04, at which time the private school shall request the Department of Law Enforcement to forward the fingerprints to the Federal Bureau of Investigation for national processing. If the fingerprints of employees or contracted personnel are not retained by the Department of Law Enforcement under *subparagraph 5. paragraph (a)*, employees and contracted personnel must electronically file a complete set of fingerprints with the Department of Law Enforcement. Upon submission of fingerprints for this purpose, the private school shall request that the Department of Law Enforcement forward the fingerprints to the Federal Bureau of Investigation for national processing, and the fingerprints shall be retained by the Department of Law Enforcement under *subparagraph 5 paragraph (a)*.

~~(4) A private school that accepts scholarship students under s. 1002.39 or s. 1002.395 must:~~

~~(a) Disqualify instructional personnel and school administrators, as defined in s. 1012.01, from employment in any position that requires direct contact with students if the personnel or administrators are ineligible for such employment under s. 1012.315.~~

(n)(b) Adopt policies establishing standards of ethical conduct for instructional personnel and school administrators. The policies must require all instructional personnel and school administrators, as defined in s. 1012.01, to complete training on the standards; establish the duty of instructional personnel and school administrators to report, and procedures for reporting, alleged misconduct by other instructional personnel and school administrators which affects the health, safety, or welfare of a student; and include an explanation of the liability protections provided under ss. 39.203 and 768.095. A private school, or any of its employees, may not enter into a confidentiality agreement regarding terminated or dismissed instructional personnel or school administrators, or personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide the instructional personnel or school administrators with employment references or discuss the personnel's or administrators' performance with prospective employers in another educational setting, without disclosing the personnel's or administrators' misconduct. Any part of an agreement or contract that has the purpose or effect of concealing misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student is void, is contrary to public policy, and may not be enforced.

(o)(e) Before employing instructional personnel or school administrators in any position that requires direct contact with students, conduct employment history checks of each of the personnel's or administrators' previous employers, screen the personnel or administrators through use of the educator screening tools described in s. 1001.10(5), and document the findings. If unable to contact a previous employer, the private school must document efforts to contact the employer.

(p) *Require each owner or operator of the private school, prior to employment or engagement to provide services, to undergo level 2 background screening as provided under chapter 435. For purposes of this paragraph, the term "owner or operator" means an owner, operator, superintendent, or principal of, or a person with equivalent decision-making authority over, a private school participating in a scholarship program established pursuant to this chapter. The fingerprints for the background screening must be electronically submitted to the Department of Law Enforcement and may be taken by an authorized law enforcement agency or a private company who is trained to take finger-*

prints. However, the complete set of fingerprints of an owner or operator may not be taken by the owner or operator. The owner or operator shall provide a copy of the results of the state and national criminal history check to the Department of Education. The cost of the background screening may be borne by the owner or operator.

1. *Every 5 years following employment or engagement to provide services, each owner or operator must meet level 2 screening standards as described in s. 435.04, at which time the owner or operator shall request the Department of Law Enforcement to forward the fingerprints to the Federal Bureau of Investigation for level 2 screening. If the fingerprints of an owner or operator are not retained by the Department of Law Enforcement under subparagraph 2., the owner or operator must electronically file a complete set of fingerprints with the Department of Law Enforcement. Upon submission of fingerprints for this purpose, the owner or operator shall request that the Department of Law Enforcement forward the fingerprints to the Federal Bureau of Investigation for level 2 screening, and the fingerprints shall be retained by the Department of Law Enforcement under subparagraph 2.*

2. *Fingerprints submitted to the Department of Law Enforcement as required by this paragraph must be retained by the Department of Law Enforcement in a manner approved by rule and entered in the statewide automated biometric identification system authorized by s. 943.05(2)(b). The fingerprints must thereafter be available for all purposes and uses authorized for arrest fingerprints entered in the statewide automated biometric identification system pursuant to s. 943.051.*

3. *The Department of Law Enforcement shall search all arrest fingerprints received under s. 943.051 against the fingerprints retained in the statewide automated biometric identification system under subparagraph 2. Any arrest record that is identified with an owner's or operator's fingerprints must be reported to the owner or operator, who must report to the Department of Education. Any costs associated with the search shall be borne by the owner or operator.*

4. *An owner or operator who fails the level 2 background screening is not eligible to participate in a scholarship program under this chapter.*

5. *In addition to the offenses listed in s. 435.04, a person required to undergo background screening pursuant to this part or authorizing statutes may not have an arrest awaiting final disposition for, must not have been found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, and must not have been adjudicated delinquent for, and the record must not have been sealed or expunged for, any of the following offenses or any similar offense of another jurisdiction:*

- a. *Any authorizing statutes, if the offense was a felony.*
- b. *This chapter, if the offense was a felony.*
- c. *Section 409.920, relating to Medicaid provider fraud.*
- d. *Section 409.9201, relating to Medicaid fraud.*
- e. *Section 741.28, relating to domestic violence.*
- f. *Section 817.034, relating to fraudulent acts through mail, wire, radio, electromagnetic, photoelectronic, or photooptical systems.*
- g. *Section 817.234, relating to false and fraudulent insurance claims.*
- h. *Section 817.505, relating to patient brokering.*
- i. *Section 817.568, relating to criminal use of personal identification information.*
- j. *Section 817.60, relating to obtaining a credit card through fraudulent means.*
- k. *Section 817.61, relating to fraudulent use of credit cards, if the offense was a felony.*
- l. *Section 831.01, relating to forgery.*
- m. *Section 831.02, relating to uttering forged instruments.*

n. Section 831.07, relating to forging bank bills, checks, drafts, or promissory notes.

o. Section 831.09, relating to uttering forged bank bills, checks, drafts, or promissory notes.

p. Section 831.30, relating to fraud in obtaining medicinal drugs.

q. Section 831.31, relating to the sale, manufacture, delivery, or possession with the intent to sell, manufacture, or deliver any counterfeit controlled substance, if the offense was a felony.

6. At least 30 calendar days before a transfer of ownership of a private school, the owner or operator shall notify the parent of each scholarship student.

7. The owner or operator of a private school that has been deemed ineligible to participate in a scholarship program pursuant to this chapter may not transfer ownership or management authority of the school to a relative in order to participate in a scholarship program as the same school or a new school. For purposes of this subparagraph, the term "relative" means father, mother, son, daughter, grandfather, grandmother, brother, sister, uncle, aunt, cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.

(q) Provide a report from an independent certified public accountant who performs the agreed-upon procedures developed pursuant to s. 1002.395(6)(o) if the private school receives more than \$250,000 in funds from scholarships awarded under this chapter in a state fiscal year. A private school subject to this subsection must annually submit the report by September 15 to the scholarship-funding organization that awarded the majority of the school's scholarship funds. However, a school that receives more than \$250,000 in scholarship funds only through the John M. McKay Scholarship for Students with Disabilities Program pursuant to s. 1002.39 must submit the annual report by September 15 to the department. The agreed-upon procedures must be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants.

The department shall suspend the payment of funds under ~~ss. 1002.39 and 1002.395~~ to a private school that knowingly fails to comply with this subsection, and shall prohibit the school from enrolling new scholarship students, for 1 fiscal year and until the school complies.

~~(5) If the inability of a private school fails to meet the requirements of this subsection or has consecutive years of material exceptions listed in the report required under paragraph (q), the commissioner may determine that the private school is ineligible section shall constitute a basis for the ineligibility of the private school to participate in a scholarship program as determined by the department.~~

(2) DEPARTMENT OF EDUCATION OBLIGATIONS.—

(a) The Department of Education shall:

1. Annually verify the eligibility of private schools that meet the requirements of this section, specific requirements identified within respective scholarship program laws, and other provisions of state law that apply to private schools.

2. Establish a toll-free hotline that provides parents and private schools with information on participation in the scholarship programs.

3. Establish a process by which individuals may notify the department of any violation by a parent, private school, or school district of state laws relating to program participation. If the department has reasonable cause to believe that a violation of this section or any rule adopted by the State Board of Education has occurred, it shall conduct an inquiry or make a referral to the appropriate agency for an investigation. A department inquiry is not subject to the requirements of chapter 120.

4. Require an annual, notarized, sworn compliance statement from participating private schools certifying compliance with state laws, and retain such records.

5. Coordinate with the entities conducting the health inspection for a private school to obtain copies of the inspection reports.

6. Conduct site visits to private schools entering a scholarship program for the first time. Beginning with the 2019-2020 school year, a private school is not eligible to receive scholarship payments until a satisfactory site visit has been conducted and the school is in compliance with all other requirements of this section.

7. Coordinate with the State Fire Marshal to obtain access to fire inspection reports for private schools. The authority conducting the fire safety inspection shall certify to the State Fire Marshal that the annual inspection has been completed and that the school is in full compliance. The certification shall be made electronically or by such other means as directed by the State Fire Marshal.

8. Upon the request of a participating private school authorized to administer statewide assessments, provide at no cost to the school the statewide assessments administered under s. 1008.22 and any related materials for administering the assessments. Students at a private school may be assessed using the statewide assessments if the addition of those students and the school does not cause the state to exceed its contractual caps for the number of students tested and the number of testing sites. The state shall provide the same materials and support to a private school that it provides to a public school. A private school that chooses to administer statewide assessments under s. 1008.22 shall follow the requirements set forth in ss. 1008.22 and 1008.24, rules adopted by the State Board of Education to implement those sections, and district-level testing policies established by the district school board.

(b) The department may conduct site visits to any private school participating in a scholarship program pursuant to this chapter that has received a complaint about a violation of state law or state board rule pursuant to subparagraph (a)3. or has received a notice of non-compliance or a notice of proposed action within the previous 2 years.

(c) Annually, by December 15, the department shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives its actions in implementing accountability in the scholarship programs under this section, any substantiated allegations or violations of law or rule by an eligible private school under this section, and the corrective action taken.

(3) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—The Commissioner of Education:

(a) Shall deny, suspend, or revoke a private school's participation in a scholarship program if it is determined that the private school has failed to comply with this section or exhibits a previous pattern of failure to comply. However, if the noncompliance is correctable within a reasonable amount of time, not to exceed 45 days, and if the health, safety, or welfare of the students is not threatened, the commissioner may issue a notice of noncompliance which provides the private school with a timeframe within which to provide evidence of compliance before taking action to suspend or revoke the private school's participation in the scholarship program.

(b) May deny, suspend, or revoke a private school's participation in a scholarship program if the commissioner determines that an owner or operator of the private school is operating or has operated an educational institution in this state or in another state or jurisdiction in a manner contrary to the health, safety, or welfare of the public or if the owner or operator has exhibited a previous pattern of failure to comply with this section or specific requirements identified within respective scholarship program laws. For purposes of this subsection, the term "owner or operator" has the same meaning as provided in paragraph (1)(p).

(c)1. In making such a determination, may consider factors that include, but are not limited to, acts or omissions by an owner or operator which led to a previous denial, suspension, or revocation of participation in a state or federal education scholarship program; an owner's or operator's failure to reimburse the department or scholarship-funding organization for scholarship funds improperly received or retained by a school; the imposition of a prior criminal sanction related to an owner's or operator's management or operation of an educational institution; the imposition of a civil fine or administrative fine, license revocation or suspension, or program eligibility suspension, termination, or revocation related to an owner's or operator's management or operation of an edu-

cational institution; or other types of criminal proceedings in which an owner or operator was found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, any offense involving fraud, deceit, dishonesty, or moral turpitude.

2. *The commissioner's determination is subject to the following:*

a. *If the commissioner intends to deny, suspend, or revoke a private school's participation in the scholarship program, the department shall notify the private school of such proposed action in writing by certified mail and regular mail to the private school's address of record with the department. The notification shall include the reasons for the proposed action and notice of the timelines and procedures set forth in this paragraph.*

b. *The private school that is adversely affected by the proposed action shall have 15 days after receipt of the notice of proposed action to file with the department's agency clerk a request for a proceeding pursuant to ss. 120.569 and 120.57. If the private school is entitled to a hearing under s. 120.57(1), the department shall forward the request to the Division of Administrative Hearings.*

c. *Upon receipt of a request referred pursuant to this subparagraph, the director of the Division of Administrative Hearings shall expedite the hearing and assign an administrative law judge who shall commence a hearing within 30 days after the receipt of the formal written request by the division and enter a recommended order within 30 days after the hearing or within 30 days after receipt of the hearing transcript, whichever is later. Each party shall be allowed 10 days in which to submit written exceptions to the recommended order. A final order shall be entered by the agency within 30 days after the entry of a recommended order. The provisions of this sub-subparagraph may be waived upon stipulation by all parties.*

(d) *May immediately suspend payment of scholarship funds if it is determined that there is probable cause to believe that there is:*

1. *An imminent threat to the health, safety, or welfare of the students;*
2. *A previous pattern of failure to comply with this section; or*
3. *Fraudulent activity on the part of the private school. Notwithstanding s. 1002.22, in incidents of alleged fraudulent activity pursuant to this section, the department's Office of Inspector General is authorized to release personally identifiable records or reports of students to the following persons or organizations:*

a. *A court of competent jurisdiction in compliance with an order of that court or the attorney of record in accordance with a lawfully issued subpoena, consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.*

b. *A person or entity authorized by a court of competent jurisdiction in compliance with an order of that court or the attorney of record pursuant to a lawfully issued subpoena, consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.*

c. *Any person, entity, or authority issuing a subpoena for law enforcement purposes when the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g, and 34 C.F.R. s. 99.31.*

The commissioner's order suspending payment pursuant to this paragraph may be appealed pursuant to the same procedures and timelines as the notice of proposed action set forth in subparagraph (c)2.

(4)(6) *The inclusion of eligible private schools within options available to Florida public school students does not expand the regulatory authority of the state, its officers, or any school district to impose any additional regulation of private schools beyond those reasonably necessary to enforce requirements expressly set forth in this section.*

(5)(7) *The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 to administer this section, including rules to establish a deadline for private school applications for participation and timelines for the department to conduct site visits.*

Section 19. Subsection (5) of section 1002.55, Florida Statutes, is amended to read:

1002.55 School-year prekindergarten program delivered by private prekindergarten providers.—

(5)(a) *Notwithstanding paragraph (3)(b), a private prekindergarten provider may not participate in the Voluntary Prekindergarten Education Program if the provider has child disciplinary policies that do not prohibit children from being subjected to discipline that is severe, humiliating, frightening, or associated with food, rest, toileting, spanking, or any other form of physical punishment as provided in s. 402.305(12).*

(b) *Notwithstanding any other provision of law, if a private prekindergarten provider has been cited for a class I violation, as defined by rule, the coalition may refuse to contract with the provider.*

Section 20. Paragraph (c) of subsection (3) of section 1002.75, Florida Statutes, is amended to read:

1002.75 Office of Early Learning; powers and duties.—

(3) *The Office of Early Learning shall adopt, in consultation with and subject to approval by the department, procedures governing the administration of the Voluntary Prekindergarten Education Program by the early learning coalitions and school districts for:*

(c) *Removing a private prekindergarten provider or public school from eligibility to deliver the program due to the provider's or school's remaining on probation beyond the time permitted under s. 1002.67. Notwithstanding any other provision of law, if a private prekindergarten provider has been cited for a class I violation, as defined by rule, the coalition may refuse to contract with the provider or revoke the provider's eligibility to deliver the Voluntary Prekindergarten Education Program.*

Section 21. Subsection (2) of section 1002.88, Florida Statutes, is amended to read:

1002.88 School readiness program provider standards; eligibility to deliver the school readiness program.—

(2)(a) *If a school readiness program provider fails or refuses to comply with this part or any contractual obligation of the statewide provider contract under s. 1002.82(2)(m), the coalition may revoke the provider's eligibility to deliver the school readiness program or receive state or federal funds under this chapter for a period of 5 years.*

(b) *Notwithstanding any other provision of law, if a school readiness program provider has been cited for a class I violation, as defined by rule, the coalition may refuse to contract with the provider or revoke the provider's eligibility to deliver the school readiness program.*

Section 22. Subsection (4) is added to section 1003.44, Florida Statutes, to read:

1003.44 Patriotic programs; rules.—

(4) *Each district school board shall adopt rules to require, in all of the schools of the district and in each building used by the district school board, the display of the state motto, "In God We Trust," designated under s. 15.0301, in a conspicuous place.*

Section 23. Subsection (3) of section 1003.453, Florida Statutes, is amended to read:

1003.453 School wellness and physical education policies; nutrition guidelines.—

(3) *School districts are encouraged to provide basic training in first aid, including cardiopulmonary resuscitation, for all students, beginning in grade 6 and every 2 years thereafter. Instruction in the use of cardiopulmonary resuscitation must be based on a nationally recognized program that uses the most current evidence-based emergency cardiovascular care guidelines. The instruction must allow students to practice the psychomotor skills associated with performing cardiopulmonary resuscitation and use an automated external defibrillator when a school district has the equipment necessary to perform the instruction. Private and public partnerships for providing training or necessary funding are encouraged.*

Section 24. Section 1003.576, Florida Statutes, is amended to read:

1003.576 Individual education plans for exceptional students.—The Department of Education must develop and have an operating electronic IEP system in place for ~~potential~~ statewide use ~~no later than July 1, 2007~~. The statewide system shall be developed collaboratively with school districts and must include input from school districts currently developing or operating electronic IEP systems.

Section 25. Section 1006.061, Florida Statutes, is amended to read:

1006.061 Child abuse, abandonment, and neglect policy.—Each district school board, charter school, and private school that accepts scholarship students *who participate in a state scholarship program under chapter 1002* ~~under s. 1002.39 or s. 1002.395~~ shall:

(1) Post in a prominent place in each school a notice that, pursuant to chapter 39, all employees and agents of the district school board, charter school, or private school have an affirmative duty to report all actual or suspected cases of child abuse, abandonment, or neglect; have immunity from liability if they report such cases in good faith; and have a duty to comply with child protective investigations and all other provisions of law relating to child abuse, abandonment, and neglect. The notice shall also include the statewide toll-free telephone number of the central abuse hotline.

(2) Post in a prominent place at each school site and on each school's Internet website, if available, the policies and procedures for reporting alleged misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student; the contact person to whom the report is made; and the penalties imposed on instructional personnel or school administrators who fail to report suspected or actual child abuse or alleged misconduct by other instructional personnel or school administrators.

(3) Require the principal of the charter school or private school, or the district school superintendent, or the superintendent's designee, at the request of the Department of Children and Families, to act as a liaison to the Department of Children and Families and the child protection team, as defined in s. 39.01, when in a case of suspected child abuse, abandonment, or neglect or an unlawful sexual offense involving a child the case is referred to such a team; except that this does not relieve or restrict the Department of Children and Families from discharging its duty and responsibility under the law to investigate and report every suspected or actual case of child abuse, abandonment, or neglect or unlawful sexual offense involving a child.

(4)(a) Post in a prominent place in a clearly visible location and public area of the school which is readily accessible to and widely used by students a sign in English and Spanish that contains:

1. The statewide toll-free telephone number of the central abuse hotline as provided in chapter 39;
2. Instructions to call 911 for emergencies; and
3. Directions for accessing the Department of Children and Families Internet website for more information on reporting abuse, neglect, and exploitation.

(b) The information in paragraph (a) must be put on at least one poster in each school, on a sheet that measures at least 11 inches by 17 inches, produced in large print, and placed at student eye level for easy viewing.

The Department of Education shall develop, and publish on the department's Internet website, sample notices suitable for posting in accordance with subsections (1), (2), and (4).

Section 26. Subsections (3) and (13) and paragraph (b) of subsection (24) of section 1007.271, Florida Statutes, are amended to read:

1007.271 Dual enrollment programs.—

(3) Student eligibility requirements for initial enrollment in college credit dual enrollment courses must include a 3.0 unweighted high school grade point average and the minimum score on a common placement test adopted by the State Board of Education which indicates that the student is ready for college-level coursework. Student eligibility

requirements for continued enrollment in college credit dual enrollment courses must include the maintenance of a 3.0 unweighted high school grade point average and the minimum postsecondary grade point average established by the postsecondary institution. Regardless of meeting student eligibility requirements for continued enrollment, a student may lose the opportunity to participate in a dual enrollment course if the student is disruptive to the learning process such that the progress of other students or the efficient administration of the course is hindered. Student eligibility requirements for initial and continued enrollment in career certificate dual enrollment courses must include a 2.0 unweighted high school grade point average. Exceptions to the required grade point averages may be granted on an individual student basis if the educational entities agree and the terms of the agreement are contained within the dual enrollment articulation agreement established pursuant to subsection (21). Florida College System institution boards of trustees may establish additional initial student eligibility requirements, which shall be included in the dual enrollment articulation agreement, to ensure student readiness for postsecondary instruction. Additional requirements included in the agreement may not arbitrarily prohibit students who have demonstrated the ability to master advanced courses from participating in dual enrollment courses *or limit the number of dual enrollment courses in which a student may enroll based solely upon enrollment by the student at an independent postsecondary institution.*

(13)(a) The dual enrollment program for a home education student, including, but not limited to, students with disabilities, consists of the enrollment of an eligible home education secondary student in a postsecondary course creditable toward an associate degree, a career certificate, or a baccalaureate degree. To participate in the dual enrollment program, an eligible home education secondary student must:

1. Provide proof of enrollment in a home education program pursuant to s. 1002.41.
2. Be responsible for his or her own ~~instructional materials and~~ transportation unless provided for in the articulation agreement.
3. Sign a home education articulation agreement pursuant to paragraph (b).

(b) Each *public* postsecondary institution eligible to participate in the dual enrollment program pursuant to s. 1011.62(1)(i) must enter into a home education articulation agreement with each home education student seeking enrollment in a dual enrollment course and the student's parent. By August 1 of each year, the eligible postsecondary institution shall complete and submit the home education articulation agreement to the Department of Education. The home education articulation agreement must include, at a minimum:

1. A delineation of courses and programs available to dually enrolled home education students. Courses and programs may be added, revised, or deleted at any time by the postsecondary institution. *Any course or program limitations may not exceed the limitations for other dually enrolled students.*
2. The initial and continued eligibility requirements for home education student participation, not to exceed those required of other dually enrolled students. *A high school grade point average may not be required for home education students who meet the minimum score on a common placement test adopted by the State Board of Education which indicates that the student is ready for college-level coursework; however, home education student eligibility requirements for continued enrollment in dual enrollment courses must include the maintenance of the minimum postsecondary grade point average established by the postsecondary institution.*

3. The student's responsibilities for providing his or her own ~~instructional materials and~~ transportation.

4. A copy of the statement on transfer guarantees developed by the Department of Education under subsection (15).

(24)

(b) Each *public* postsecondary institution eligible to participate in the dual enrollment program pursuant to s. 1011.62(1)(i) must enter into a private school articulation agreement with each eligible private

school in its geographic service area seeking to offer dual enrollment courses to its students, including, but not limited to, students with disabilities. By August 1 of each year, the eligible postsecondary institution shall complete and submit the private school articulation agreement to the Department of Education. The private school articulation agreement must include, at a minimum:

1. A delineation of courses and programs available to the private school student. The postsecondary institution may add, revise, or delete courses and programs at any time.
2. The initial and continued eligibility requirements for private school student participation, not to exceed those required of other dual enrollment students.
3. The student's responsibilities for providing his or her own instructional materials and transportation.
4. A provision clarifying that the private school will award appropriate credit toward high school completion for the postsecondary course under the dual enrollment program.
5. A provision expressing that costs associated with tuition and fees, including registration, and laboratory fees, will not be passed along to the student.
6. ~~A provision stating whether the private school will compensate the postsecondary institution for the standard tuition rate per credit hour for each dual enrollment course taken by its students.~~

Section 27. Paragraph (a) of subsection (3) and paragraph (a) of subsection (8) of section 1008.22, Florida Statutes, are amended to read:

1008.22 Student assessment program for public schools.—

(3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The Commissioner of Education shall design and implement a statewide, standardized assessment program aligned to the core curricular content established in the Next Generation Sunshine State Standards. The commissioner also must develop or select and implement a common battery of assessment tools that will be used in all juvenile justice education programs in the state. These tools must accurately measure the core curricular content established in the Next Generation Sunshine State Standards. Participation in the assessment program is mandatory for all school districts and all students attending public schools, including adult students seeking a standard high school diploma under s. 1003.4282 and students in Department of Juvenile Justice education programs, except as otherwise provided by law. If a student does not participate in the assessment program, the school district must notify the student's parent and provide the parent with information regarding the implications of such nonparticipation. The statewide, standardized assessment program shall be designed and implemented as follows:

(a) *Statewide, standardized comprehensive assessments.*—The statewide, standardized Reading assessment shall be administered annually in grades 3 through 10. The statewide, standardized Writing assessment shall be administered annually at least once at the elementary, middle, and high school levels. When the Reading and Writing assessments are replaced by English Language Arts (ELA) assessments, ELA assessments shall be administered to students in grades 3 through 10. Retake opportunities for the grade 10 Reading assessment or, upon implementation, the grade 10 ELA assessment must be provided. Students taking the ELA assessments shall not take the statewide, standardized assessments in Reading or Writing. *Reading passages and writing prompts for ELA assessments shall incorporate grade-level core curricula content from social studies be administered online.* The statewide, standardized Mathematics assessments shall be administered annually in grades 3 through 8. Students taking a revised Mathematics assessment shall not take the discontinued assessment. The statewide, standardized Science assessment shall be administered annually at least once at the elementary and middle grades levels. In order to earn a standard high school diploma, a student who has not earned a passing score on the grade 10 Reading assessment or, upon implementation, the grade 10 ELA assessment must earn a passing score on the assessment retake or earn a concordant score as authorized under subsection (9).

(8) PUBLICATION OF ASSESSMENTS.—To promote transparency in the statewide assessment program, in any procurement for the ELA assessment in grades 3 through 10 and the mathematics assessment in grades 3 through 8, the Department of Education shall solicit cost proposals for publication of the state assessments on its website in accordance with this subsection.

(a) The department shall publish each assessment administered under paragraph (3)(a) and subparagraph (3)(b)1., excluding assessment retakes, at least once on a triennial basis pursuant to a schedule determined by the Commissioner of Education. Each assessment, when published, must have been administered during the most recent school year *and be in a format that facilitates the sharing of assessment items.*

Section 28. Paragraphs (f), (o), and (t) of subsection (1), paragraph (b) of subsection (6), and paragraphs (a), (c), and (d) of subsection (9) of section 1011.62, Florida Statutes, are amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(f) *Supplemental academic instruction allocation; categorical fund.*—

1. There is created *the supplemental academic instruction allocation* ~~a categorical fund~~ to provide supplemental academic instruction to students in kindergarten through grade 12. ~~This paragraph may be cited as the "Supplemental Academic Instruction Categorical Fund."~~

2. *The supplemental academic instruction allocation shall be provided annually in the Florida Education Finance Program as specified in the General Appropriations Act. These funds are categorical fund* is in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program and shall be included in the total potential funds of each district. *Beginning with the 2018-2019 fiscal year, These funds shall be used to provide supplemental academic instruction to students enrolled in the K-12 program.* each school district that has a school earning a grade of "D" or "F" pursuant to s. 1008.34 must use that school's portion of the supplemental academic instruction allocation to implement intervention and support strategies for school improvement pursuant to s. 1008.33 and for salary incentives pursuant to s. 1012.2315(3) or salary supplements pursuant to s. 1012.22(1)(c)5.c. that are provided through a memorandum of understanding between the collective bargaining agent and the school board that addresses the selection, placement, and expectations of instructional personnel and school administrators. For all other schools, ~~the school district's use of the supplemental academic instruction allocation one or more of the 300 lowest performing elementary schools based on the state reading assessment for the prior year shall use these funds, together with the funds provided in the district's research-based reading instruction allocation and other available funds, to provide an additional hour of instruction beyond the normal school day for each day of the entire school year for intensive reading instruction for the students in each of these schools. This additional hour of instruction must be provided by teachers or reading specialists who have demonstrated effectiveness in teaching reading or by a K-5 mentoring reading program that is supervised by a teacher who is effective at teaching reading. Students enrolled in these schools who have level 5 assessment scores may participate in the additional hour of instruction on an optional basis. Exceptional student education centers shall not be included in the 300 schools. The designation of the 300 lowest performing elementary schools must be based on the state reading assessment for the prior year. After this requirement has been met, supplemental instruction strategies may include, but is are not limited to, the use of a modified curriculum, reading instruction, after-school instruction, tutoring, mentoring, a reduction in class size, extended school year, intensive skills development in summer school, dropout prevention programs as defined in ss. 1003.52 and 1003.53(1)(a), (b), and (c), and other methods of improving student achievement. Supplemental academic instruction may be provided to a student in any manner and at any time~~

during or beyond the regular 180-day term identified by the school as being the most effective and efficient way to best help that student progress from grade to grade and to graduate.

~~3. Categorical funds for supplemental academic instruction shall be provided annually in the Florida Education Finance Program as specified in the General Appropriations Act. These funds shall be provided as a supplement to the funds appropriated for the basic funding level and shall be included in the total funds of each district. The supplemental academic instruction allocation shall consist of a base amount that has a workload adjustment based on changes in unweighted FTE. In addition, districts that have elementary schools included in the 300 lowest performing schools designation shall be allocated additional funds to assist those districts in providing intensive reading instruction to students in those schools. The amount provided shall be based on each district's level of per student funding in the reading instruction allocation and the supplemental academic instruction categorical fund and on the total FTE for each of the schools. The supplemental academic instruction allocation categorical funding shall be recalculated during the fiscal year following an updated designation of the 300 lowest performing elementary schools and shall be based on actual student membership from the FTE surveys. Upon recalculation of funding for the supplemental academic instruction allocation categorical fund, if the total allocation is greater than the amount provided in the General Appropriations Act, the allocation shall be prorated to the level provided to support the appropriation, based on each district's share of the total.~~

4. ~~Effective with the 1999-2000 fiscal year,~~ Funding on the basis of FTE membership beyond the 180-day regular term shall be provided in the FEFP only for students enrolled in juvenile justice education programs or in education programs for juveniles placed in secure facilities or programs under s. 985.19. Funding for instruction beyond the regular 180-day school year for all other K-12 students shall be provided through the supplemental academic instruction allocation and other state, federal, and local fund sources with ample flexibility for schools to provide supplemental instruction to assist students in progressing from grade to grade and graduating.

~~5. The Florida State University School, as a lab school, is authorized to expend from its FEFP or Lottery Enhancement Trust Fund allocation the cost to the student of remediation in reading, writing, or mathematics for any graduate who requires remediation at a postsecondary educational institution.~~

~~6. Beginning in the 1999-2000 school year, dropout prevention programs as defined in ss. 1003.52, 1003.53(1)(a), (b), and (c), and 1003.54 shall be included in group 1 programs under subparagraph (d) 2.~~

(o) *Calculation of additional full-time equivalent membership based on successful completion of a career-themed course pursuant to ss. 1003.491, 1003.492, and 1003.493, or courses with embedded CAPE industry certifications or CAPE Digital Tool certificates, and issuance of industry certification identified on the CAPE Industry Certification Funding List pursuant to rules adopted by the State Board of Education or CAPE Digital Tool certificates pursuant to s. 1003.4203.—*

1.a. A value of 0.025 full-time equivalent student membership shall be calculated for CAPE Digital Tool certificates earned by students in elementary and middle school grades.

b. A value of 0.1 or 0.2 full-time equivalent student membership shall be calculated for each student who completes a course as defined in s. 1003.493(1)(b) or courses with embedded CAPE industry certifications and who is issued an industry certification identified annually on the CAPE Industry Certification Funding List approved under rules adopted by the State Board of Education. A value of 0.2 full-time equivalent membership shall be calculated for each student who is issued a CAPE industry certification that has a statewide articulation agreement for college credit approved by the State Board of Education. For CAPE industry certifications that do not articulate for college credit, the Department of Education shall assign a full-time equivalent value of 0.1 for each certification. Middle grades students who earn additional FTE membership for a CAPE Digital Tool certificate pursuant to sub-subparagraph a. may not use the previously funded examination to satisfy the requirements for earning an industry certification under this sub-subparagraph. Additional FTE membership for an elementary or middle grades student may not exceed 0.1 for certi-

ficates or certifications earned within the same fiscal year. The State Board of Education shall include the assigned values on the CAPE Industry Certification Funding List under rules adopted by the state board. Such value shall be added to the total full-time equivalent student membership for grades 6 through 12 in the subsequent year. CAPE industry certifications earned through dual enrollment must be reported and funded pursuant to s. 1011.80. However, if a student earns a certification through a dual enrollment course and the certification is not a fundable certification on the postsecondary certification funding list, or the dual enrollment certification is earned as a result of an agreement between a school district and a nonpublic postsecondary institution, the bonus value shall be funded in the same manner as other non dual enrollment course industry certifications. In such cases, the school district may provide for an agreement between the high school and the technical center, or the school district and the postsecondary institution may enter into an agreement for equitable distribution of the bonus funds.

c. A value of 0.3 full-time equivalent student membership shall be calculated for student completion of the courses and the embedded certifications identified on the CAPE Industry Certification Funding List and approved by the commissioner pursuant to ss. 1003.4203(5)(a) and 1008.44.

d. A value of 0.5 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 15 to 29 college credit hours, and 1.0 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 30 or more college credit hours pursuant to CAPE Acceleration Industry Certifications approved by the commissioner pursuant to ss. 1003.4203(5)(b) and 1008.44.

2. Each district must allocate at least 80 percent of the funds provided for CAPE industry certification, in accordance with this paragraph, to the program that generated the funds. This allocation may not be used to supplant funds provided for basic operation of the program.

3. For CAPE industry certifications earned in the 2013-2014 school year and in subsequent years, the school district shall distribute to each classroom teacher who provided direct instruction toward the attainment of a CAPE industry certification that qualified for additional full-time equivalent membership under subparagraph 1.:

a. A bonus of \$25 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.1.

b. A bonus of \$50 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.2.

c. A bonus of \$75 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.3.

d. A bonus of \$100 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.5 or 1.0.

Bonuses awarded pursuant to this paragraph shall be provided to teachers who are employed by the district in the year in which the additional FTE membership calculation is included in the calculation. Bonuses shall be calculated based upon the associated weight of a CAPE industry certification on the CAPE Industry Certification Funding List for the year in which the certification is earned by the student. Any bonus awarded to a teacher pursuant to under this paragraph is in addition to any regular wage or other bonus the teacher received or is scheduled to receive. *A bonus may not be awarded to a teacher who fails to maintain the security of any CAPE industry certification examination or who otherwise violates the security or administration protocol of any assessment instrument that may result in a bonus being awarded to the teacher under this paragraph.*

(t) *Computation for funding through the Florida Education Finance Program.*—The State Board of Education may adopt rules establishing programs, industry certifications, and courses for which the student may earn credit toward high school graduation *and the criteria under which a student’s industry certification or grade may be rescinded.*

(6) CATEGORICAL FUNDS.—

(b) If a district school board finds and declares in a resolution adopted at a regular meeting of the school board that the funds received for any of the following categorical appropriations are urgently needed to maintain school board specified academic classroom instruction or *improve school safety*, the school board may consider and approve an amendment to the school district operating budget transferring the identified amount of the categorical funds to the appropriate account for expenditure:

1. Funds for student transportation.
- ~~2. Funds for safe schools.~~
- ~~3. Funds for supplemental academic instruction if the required additional hour of instruction beyond the normal school day for each day of the entire school year has been provided for the students in each low-performing elementary school in the district pursuant to paragraph (4)(f).~~
- 2.4. Funds for research-based reading instruction if the required additional hour of instruction beyond the normal school day for each day of the entire school year has been provided for the students in each low-performing elementary school in the district pursuant to paragraph (9)(a).
- ~~3.5. Funds for instructional materials if all instructional material purchases necessary to provide updated materials that are aligned with applicable state standards and course descriptions and that meet statutory requirements of content and learning have been completed for that fiscal year, but no sooner than March 1. Funds available after March 1 may be used to purchase hardware for student instruction.~~

(9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

(a) The research-based reading instruction allocation is created to provide comprehensive reading instruction to students in kindergarten through grade 12. Each school district that has one or more of the 300 lowest-performing elementary schools based on a 3-year average of the state reading assessment data shall give priority to ~~using that school’s portion of the allocation to provide~~ providing an additional hour per day of intensive reading instruction ~~beyond the normal school day for each day of the entire school year~~ for the students in each school. ~~The designation of the 300 lowest-performing elementary schools must be based on the state reading assessment for the prior year.~~ Students enrolled in these schools who ~~earned a~~ have level 4 or level 5 score on the statewide, standardized English Language Arts assessment for the previous school year ~~scores may participate in the additional hour of instruction on an optional basis.~~ Exceptional student education centers may not be included in the 300 schools. The intensive reading instruction delivered in this additional hour ~~and for other students~~ shall include: research-based reading instruction that has been proven to accelerate progress of students exhibiting a reading deficiency; differentiated instruction based on screening, diagnostic, progress monitoring, or student assessment data to meet students’ specific reading needs; explicit and systematic reading strategies to develop phonemic awareness, phonics, fluency, vocabulary, and comprehension, with more extensive opportunities for guided practice, error correction, and feedback; and the integration of social studies, science, and mathematics-text reading, text discussion, and writing in response to reading.

(c) Funds allocated under this subsection must be used to provide a system of comprehensive reading instruction to students enrolled in the K-12 programs, which may include the following:

1. ~~The provision of~~ An additional hour per day of intensive reading instruction to students in the 300 lowest-performing elementary schools by teachers and reading specialists who have demonstrated effectiveness in teaching reading *as required in paragraph (a).*

2. Kindergarten through grade 5 reading intervention teachers to provide intensive intervention during the school day and in the required extra hour for students identified as having a reading deficiency.

3. ~~The provision of~~ Highly qualified reading coaches to specifically support teachers in making instructional decisions based on student data, and improve teacher delivery of effective reading instruction, intervention, and reading in the content areas based on student need.

4. Professional development for school district teachers in scientifically based reading instruction, including strategies to teach reading in content areas and with an emphasis on technical and informational text, to help school district teachers earn a certification or an endorsement in reading.

5. ~~The provision of~~ Summer reading camps, *using only teachers or other district personnel who are certified or endorsed in reading consistent with s. 1008.25(7)(b)3.*, for all students in kindergarten through grade 2 who demonstrate a reading deficiency as determined by district and state assessments, and students in grades 3 through 5 who score at Level 1 on the statewide, standardized reading assessment or, ~~upon implementation,~~ the English Language Arts assessment.

6. ~~The provision of~~ Supplemental instructional materials that are grounded in scientifically based reading research *as identified by the Just Read, Florida! Office pursuant to s. 1001.215(8).*

7. ~~The provision of~~ Intensive interventions for students in kindergarten through grade 12 who have been identified as having a reading deficiency or who are reading below grade level as determined by the statewide, standardized English Language Arts assessment.

(d)1. Annually, by a date determined by the Department of Education but before May 1, school districts shall submit a K-12 comprehensive reading plan for the specific use of the research-based reading instruction allocation in the format prescribed by the department for review and approval by the Just Read, Florida! Office created pursuant to s. 1001.215. The plan annually submitted by school districts shall be deemed approved unless the department rejects the plan on or before June 1. If a school district and the Just Read, Florida! Office cannot reach agreement on the contents of the plan, the school district may appeal to the State Board of Education for resolution. School districts shall be allowed reasonable flexibility in designing their plans and shall be encouraged to offer reading intervention through innovative methods, including career academies. The plan format shall be developed with input from school district personnel, including teachers and principals, and shall ~~provide for allow courses in core, career, and alternative programs that deliver~~ intensive reading interventions remediation through integrated curricula, provided that, *beginning with the 2020-2021 school year, the interventions are delivered by a teacher who is certified or endorsed in reading. Such interventions must incorporate strategies identified by the Just Read, Florida! Office pursuant to s. 1001.215(8) deemed highly qualified to teach reading or working toward that status.* No later than July 1 annually, the department shall release the school district’s allocation of appropriated funds to those districts having approved plans. A school district that spends 100 percent of this allocation on its approved plan shall be deemed to have been in compliance with the plan. The department may withhold funds upon a determination that reading instruction allocation funds are not being used to implement the approved plan. The department shall monitor and track the implementation of each district plan, including conducting site visits and collecting specific data on expenditures and reading improvement results. By February 1 of each year, the department shall report its findings to the Legislature.

2. Each school district that has a school designated as one of the 300 lowest-performing elementary schools as specified in paragraph (a) shall specifically delineate in the comprehensive reading plan, or in an addendum to the comprehensive reading plan, the implementation design and reading intervention strategies that will be used for the required additional hour of reading instruction. The term “reading intervention” includes evidence-based strategies frequently used to remediate reading deficiencies and also includes individual instruction, tutoring, mentoring, or the use of technology that targets specific reading skills and abilities.

1011.6202 Principal Autonomy ~~Pilot~~ Program Initiative.—The Principal Autonomy ~~Pilot~~ Program Initiative is created within the Department of Education. The purpose of the ~~pilot~~ program is to provide a ~~the~~ highly effective principal of a participating school with increased autonomy and authority to operate his or her school, *as well as other schools*, in a way that produces significant improvements in student achievement and school management while complying with constitutional requirements. The State Board of Education may, upon approval of a principal autonomy proposal, enter into a performance contract with ~~the up to seven district school board boards~~ for participation in the ~~pilot~~ program.

(1) PARTICIPATING SCHOOL DISTRICTS.—*Beginning with the 2018-2019 school year, contingent upon available funds, and on a first-come, first-served basis, a* ~~The district school board boards in Broward, Duval, Jefferson, Madison, Palm Beach, Pinellas, and Seminole Counties~~ may submit, *no later than December 1,* to the state board for approval a principal autonomy proposal that exchanges statutory and rule exemptions for an agreement to meet performance goals established in the proposal. If approved by the state board, ~~the each of these school district is districts shall be~~ eligible to participate in the ~~pilot~~ program for 3 years. ~~At the end of the 3 years, the performance of all participating schools in the school district shall be evaluated.~~

(2) PRINCIPAL AUTONOMY PROPOSAL.—

(a) To participate in the ~~pilot~~ program, a school district must:

1. Identify three schools that received at least two school grades of “D” or “F” pursuant to s. 1008.34 during the previous 3 school years.

2. Identify three principals who have earned a highly effective rating on the prior year’s performance evaluation pursuant to s. 1012.34, one of whom shall be assigned to each of the participating schools.

3. Describe the current financial and administrative management of each participating school; identify the areas in which each school principal will have increased fiscal and administrative autonomy, including the authority and responsibilities provided in s. 1012.28(8); and identify the areas in which each participating school will continue to follow district school board fiscal and administrative policies.

4. Explain the methods used to identify the educational strengths and needs of the participating school’s students and identify how student achievement can be improved.

5. Establish performance goals for student achievement, as defined in s. 1008.34(1), and explain how the increased autonomy of principals will help participating schools improve student achievement and school management.

6. Provide each participating school’s mission and a description of its student population.

(b) The state board shall establish criteria, which must include the criteria listed in paragraph (a), for the approval of a principal autonomy proposal.

(c) A district school board must submit its principal autonomy proposal to the state board for approval by December 1 in order to begin participation in the subsequent school year. By February 28 of the school year in which the proposal is submitted, the state board shall notify the district school board in writing whether the proposal is approved.

(3) EXEMPTION FROM LAWS.—

(a) With the exception of those laws listed in paragraph (b), a participating school *or a school operated by a principal pursuant to subsection (5)* is exempt from the provisions of chapters 1000-1013 and rules of the state board that implement those exempt provisions.

(b) A participating school *or a school operated by a principal pursuant to subsection (5)* shall comply with the provisions of chapters 1000-1013, and rules of the state board that implement those provisions, pertaining to the following:

1. Those laws relating to the election and compensation of district school board members, the election or appointment and compensation of

district school superintendents, public meetings and public records requirements, financial disclosure, and conflicts of interest.

2. Those laws relating to the student assessment program and school grading system, including chapter 1008.

3. Those laws relating to the provision of services to students with disabilities.

4. Those laws relating to civil rights, including s. 1000.05, relating to discrimination.

5. Those laws relating to student health, safety, and welfare.

6. Section 1001.42(4)(f), relating to the uniform opening date for public schools.

7. Section 1003.03, governing maximum class size, except that the calculation for compliance pursuant to s. 1003.03 is the average at the school level for a participating school.

8. Sections 1012.22(1)(c) and 1012.27(2), relating to compensation and salary schedules.

9. Section 1012.33(5), relating to workforce reductions for annual contracts for instructional personnel. This subparagraph does not apply to at-will employees.

10. Section 1012.335, relating to annual contracts for instructional personnel hired on or after July 1, 2011. This subparagraph does not apply to at-will employees.

11. Section 1012.34, relating to personnel evaluation procedures and criteria.

12. Those laws pertaining to educational facilities, including chapter 1013, except that s. 1013.20, relating to covered walkways for relocatables, and s. 1013.21, relating to the use of relocatable facilities exceeding 20 years of age, are eligible for exemption.

13. Those laws pertaining to participating school districts, including this section and ss. 1011.69(2) and 1012.28(8).

(c) A school shall remain exempt, as provided in this subsection, beyond the term of the program so long as the school receives no grade lower than a “B.”

(4) PROFESSIONAL DEVELOPMENT.—Each participating school district shall require that the principal of each participating school *and a designated leadership team selected by the principal of the participating school, a three member leadership team from each participating school, and district personnel working with each participating school* complete a nationally recognized school turnaround program which focuses on improving leadership, instructional infrastructure, talent management, and differentiated support and accountability. The required personnel must enroll in the nationally recognized school turnaround program upon acceptance into the ~~pilot~~ program. ~~Each participating school district shall receive \$100,000 from the department for participation in the nationally recognized school turnaround program.~~

(5) DISTRICT INNOVATION ACADEMIES AND ZONES.—*To encourage further innovation and expand the reach of highly effective principals trained pursuant to subsection (4) district school boards may authorize these principals to manage multiple schools within a zone. A zone may include the school at which the principal is assigned, persistently low-performing schools, feeder pattern schools, or a group of schools identified by the school district. The principal may allocate resources and personnel between the schools under his or her administration.*

(6)(5) TERM OF PARTICIPATION.—The state board shall authorize a school district to participate in the ~~pilot~~ program for a period of 3 years commencing with approval of the principal autonomy proposal. ~~Authorization to participate in the pilot program may be renewed upon action of the state board.~~ The state board may revoke authorization to participate in the ~~pilot~~ program if the school district fails to meet the requirements of this section during the 3-year period.

~~(6) REPORTING.—Each participating school district shall submit an annual report to the state board. The state board shall annually report on the implementation of the Principal Autonomy Pilot Program Initiative. Upon completion of the pilot program's first 3-year term, the Commissioner of Education shall submit to the President of the Senate and the Speaker of the House of Representatives by December 1 a full evaluation of the effectiveness of the pilot program.~~

(7) FUNDING.—~~Subject to an annual appropriation, The Legislature shall provide an appropriation to the department shall fund for the costs of the pilot program to include the, including administrative costs and enrollment costs for the nationally recognized school turnaround program required in subsection (4); and an additional amount not to exceed of \$10,000 for each participating principal in each participating district as an annual salary supplement for 3 years, a fund for the principal's school to be used at the principal's discretion, or both, as determined by the district.~~ To be eligible for a salary supplement under this subsection, a participating principal must:

- (a) Be rated "highly effective" as determined by the principal's performance evaluation under s. 1012.34;
- (b) Be transferred to a school that earned a grade of "F" or ~~two three~~ consecutive grades of "D" pursuant to s. 1008.34, or *manage, pursuant to subsection (5), a persistently low-performing school* and provided additional authority and responsibilities pursuant to s. 1012.28(8); and
- (c) Have implemented a turnaround option under s. ~~1008.33~~ ~~s. 1008.33(4)~~ at a school as the school's principal. The turnaround option must have resulted in the school improving by at least one letter grade while he or she was serving as the school's principal.

(8) RULEMAKING.—The State Board of Education shall adopt rules to administer this section.

Section 30. Subsection (5) of section 1011.69, Florida Statutes, is amended to read:

1011.69 Equity in School-Level Funding Act.—

(5) After providing Title I, Part A, Basic funds to schools above the 75 percent poverty threshold, *which may include high schools above the 50 percent threshold as permitted by federal law*, school districts shall provide any remaining Title I, Part A, Basic funds directly to all eligible schools as provided in this subsection. For purposes of this subsection, an eligible school is a school that is eligible to receive Title I funds, including a charter school. The threshold for identifying eligible schools may not exceed the threshold established by a school district for the 2016-2017 school year or the statewide percentage of economically disadvantaged students, as determined annually.

- (a) Prior to the allocation of Title I funds to eligible schools, a school district may withhold funds only as follows:
 - 1. One percent for parent involvement, in addition to the one percent the district must reserve under federal law for allocations to eligible schools for parent involvement;
 - 2. A necessary and reasonable amount for administration, ~~which includes the district's indirect cost rate, not to exceed a total of 10 8 percent; and~~
 - 3. A reasonable and necessary amount to provide:
 - a. Homeless programs;
 - b. Delinquent and neglected programs;
 - c. Prekindergarten programs and activities;
 - d. Private school equitable services; ~~and~~
 - e. Transportation for foster care children to their school of origin or choice programs; ~~and-~~
 - 4. *A necessary and reasonable amount, not to exceed 1 percent, for eligible schools to provide educational services in accordance with the approved Title I plan.*

(b) All remaining Title I funds shall be distributed to all eligible schools in accordance with federal law and regulation. An eligible school may use funds under this subsection to participate in discretionary educational services provided by the school district. *Any funds provided by an eligible school to participate in discretionary educational services provided by the school district are not subject to the requirements of this subsection.*

(c) *Any funds carried forward by the school district are not subject to the requirements of this subsection.*

Section 31. Subsection (2) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.—

(2) In addition to the maximum millage levy as provided in subsection (1), each school board may levy not more than 1.5 mills against the taxable value for school purposes for charter schools pursuant to s. ~~1013.62(1) and (3) s. 1013.62(3)~~ and for district schools to fund:

- (a) New construction and remodeling projects, as set forth in s. ~~1013.64(6)(b) s. 1013.64(3)(d) and (6)(b)~~ and included in the district's educational plant survey pursuant to s. 1013.31, without regard to prioritization, sites and site improvement or expansion to new sites, existing sites, auxiliary facilities, athletic facilities, or ancillary facilities.
- (b) Maintenance, renovation, and repair of existing school plants or of leased facilities to correct deficiencies pursuant to s. 1013.15(2).
- (c) The purchase, lease-purchase, or lease of school buses.
- (d) The purchase, lease-purchase, or lease of new and replacement equipment; computer and device hardware and operating system software necessary for gaining access to or enhancing the use of electronic and digital instructional content and resources; and enterprise resource software applications that are classified as capital assets in accordance with definitions of the Governmental Accounting Standards Board, have a useful life of at least 5 years, and are used to support districtwide administration or state-mandated reporting requirements. Enterprise resource software may be acquired by annual license fees, maintenance fees, or lease agreements.
- (e) Payments for educational facilities and sites due under a lease-purchase agreement entered into by a district school board pursuant to s. 1003.02(1)(f) or s. 1013.15(2), not exceeding, in the aggregate, an amount equal to three-fourths of the proceeds from the millage levied by a district school board pursuant to this subsection. The three-fourths limit is waived for lease-purchase agreements entered into before June 30, 2009, by a district school board pursuant to this paragraph. *If payments under lease-purchase agreements in the aggregate, including lease-purchase agreements entered into before June 30, 2009, exceed three-fourths of the proceeds from the millage levied pursuant to this subsection, the district school board may not withhold the administrative fees authorized by s. 1002.33(20) from any charter school operating in the school district.*
- (f) Payment of loans approved pursuant to ss. 1011.14 and 1011.15.
- (g) Payment of costs directly related to complying with state and federal environmental statutes, rules, and regulations governing school facilities.
- (h) Payment of costs of leasing relocatable educational facilities, of renting or leasing educational facilities and sites pursuant to s. 1013.15(2), or of renting or leasing buildings or space within existing buildings pursuant to s. 1013.15(4).
- (i) Payment of the cost of school buses when a school district contracts with a private entity to provide student transportation services if the district meets the requirements of this paragraph.

1. The district's contract must require that the private entity purchase, lease-purchase, or lease, and operate and maintain, one or more school buses of a specific type and size that meet the requirements of s. 1006.25.

2. Each such school bus must be used for the daily transportation of public school students in the manner required by the school district.

3. Annual payment for each such school bus may not exceed 10 percent of the purchase price of the state pool bid.

4. The proposed expenditure of the funds for this purpose must have been included in the district school board's notice of proposed tax for school capital outlay as provided in s. 200.065(10).

(j) Payment of the cost of the opening day collection for the library media center of a new school.

(k) Payout of sick leave and annual leave accrued as of June 30, 2017, by individuals who are no longer employed by a school district that transfers to a charter school operator all day-to-day classroom instruction responsibility for all full-time equivalent students funded under s. 1011.62. This paragraph expires July 1, 2018.

Section 32. Subsection (4) of section 1012.2315, Florida Statutes, is amended to read:

1012.2315 Assignment of teachers.—

(4) COLLECTIVE BARGAINING.—

(a) Notwithstanding provisions of chapter 447 relating to district school board collective bargaining, collective bargaining provisions may not preclude a school district from providing incentives to high-quality teachers and assigning such teachers to low-performing schools.

(b) *Before the start of the 2019-2020 school year, each school district and the certified collective bargaining unit for instructional personnel shall negotiate a memorandum of understanding that addresses the selection, placement, and expectations of instructional personnel and provides school principals with the autonomy described in s. 1012.28(8).*

(c)1. *In addition to the provisions under s. 447.305(2), an employee organization that has been certified as the bargaining agent for a unit of instructional personnel as defined in s. 1012.01(2) must include for each such certified bargaining unit the following information in its application for renewal of registration:*

a. *The number of employees in the bargaining unit who are eligible for representation by the employee organization.*

b. *The number of employees who are represented by the employee organization, specifying the number of members who pay dues and the number of members who do not pay dues.*

2. *Notwithstanding the provisions of chapter 447 relating to collective bargaining, an employee organization whose dues paying membership is less than 50 percent of the employees eligible for representation in the unit, as identified in subparagraph 1., must petition the Public Employees Relations Commission pursuant to s. 447.307(2) and (3) for recertification as the exclusive representative of all employees in the unit within 1 month after the date on which the organization applies for renewal of registration pursuant to s. 447.305(2). The certification of an employee organization that does not comply with this paragraph is revoked.*

Section 33. Subsection (8) of section 1012.28, Florida Statutes, is amended to read:

1012.28 Public school personnel; duties of school principals.—

(8) The principal of a school participating in the Principal Autonomy Pilot Program Initiative under s. 1011.6202 has the following additional authority and responsibilities:

(a) In addition to the authority provided in subsection (6), the authority to select qualified instructional personnel for placement or to refuse to accept the placement or transfer of instructional personnel by the district school superintendent. Placement of instructional personnel at a participating school in a participating school district does not affect the employee's status as a school district employee.

(b) The authority to deploy financial resources to school programs at the principal's discretion to help improve student achievement, as de-

finied in s. 1008.34(1), and meet performance goals identified in the principal autonomy proposal submitted pursuant to s. 1011.6202.

(c) To annually provide to the district school superintendent and the district school board a budget for the operation of the participating school that identifies how funds provided pursuant to s. 1011.69(2) are allocated. ~~The school district shall include the budget in the annual report provided to the State Board of Education pursuant to s. 1011.6202(6).~~

Section 34. Section 1012.315, Florida Statutes, is amended to read:

1012.315 Disqualification from employment.—A person is ineligible for educator certification, and instructional personnel and school administrators, as defined in s. 1012.01, are ineligible for employment in any position that requires direct contact with students in a district school system, charter school, or private school that accepts scholarship students *who participate in a state scholarship program under chapter 1002 under s. 1002.39 or s. 1002.395*, if the person, instructional personnel, or school administrator has been convicted of:

(1) Any felony offense prohibited under any of the following statutes:

(a) Section 393.135, relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.

(b) Section 394.4593, relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.

(c) Section 415.111, relating to adult abuse, neglect, or exploitation of aged persons or disabled adults.

(d) Section 782.04, relating to murder.

(e) Section 782.07, relating to manslaughter, aggravated manslaughter of an elderly person or disabled adult, aggravated manslaughter of a child, or aggravated manslaughter of an officer, a firefighter, an emergency medical technician, or a paramedic.

(f) Section 784.021, relating to aggravated assault.

(g) Section 784.045, relating to aggravated battery.

(h) Section 784.075, relating to battery on a detention or commitment facility staff member or a juvenile probation officer.

(i) Section 787.01, relating to kidnapping.

(j) Section 787.02, relating to false imprisonment.

(k) Section 787.025, relating to luring or enticing a child.

(l) Section 787.04(2), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending custody proceedings.

(m) Section 787.04(3), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending dependency proceedings or proceedings concerning alleged abuse or neglect of a minor.

(n) Section 790.115(1), relating to exhibiting firearms or weapons at a school-sponsored event, on school property, or within 1,000 feet of a school.

(o) Section 790.115(2)(b), relating to possessing an electric weapon or device, destructive device, or other weapon at a school-sponsored event or on school property.

(p) Section 794.011, relating to sexual battery.

(q) Former s. 794.041, relating to sexual activity with or solicitation of a child by a person in familial or custodial authority.

(r) Section 794.05, relating to unlawful sexual activity with certain minors.

(s) Section 794.08, relating to female genital mutilation.

(t) Chapter 796, relating to prostitution.

- (u) Chapter 800, relating to lewdness and indecent exposure.
- (v) Section 806.01, relating to arson.
- (w) Section 810.14, relating to voyeurism.
- (x) Section 810.145, relating to video voyeurism.
- (y) Section 812.014(6), relating to coordinating the commission of theft in excess of \$3,000.
- (z) Section 812.0145, relating to theft from persons 65 years of age or older.
- (aa) Section 812.019, relating to dealing in stolen property.
- (bb) Section 812.13, relating to robbery.
- (cc) Section 812.131, relating to robbery by sudden snatching.
- (dd) Section 812.133, relating to carjacking.
- (ee) Section 812.135, relating to home-invasion robbery.
- (ff) Section 817.563, relating to fraudulent sale of controlled substances.
- (gg) Section 825.102, relating to abuse, aggravated abuse, or neglect of an elderly person or disabled adult.
- (hh) Section 825.103, relating to exploitation of an elderly person or disabled adult.
- (ii) Section 825.1025, relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled person.
- (jj) Section 826.04, relating to incest.
- (kk) Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child.
- (ll) Section 827.04, relating to contributing to the delinquency or dependency of a child.
- (mm) Section 827.071, relating to sexual performance by a child.
- (nn) Section 843.01, relating to resisting arrest with violence.
- (oo) Chapter 847, relating to obscenity.
- (pp) Section 874.05, relating to causing, encouraging, soliciting, or recruiting another to join a criminal street gang.
- (qq) Chapter 893, relating to drug abuse prevention and control, if the offense was a felony of the second degree or greater severity.
- (rr) Section 916.1075, relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.
- (ss) Section 944.47, relating to introduction, removal, or possession of contraband at a correctional facility.
- (tt) Section 985.701, relating to sexual misconduct in juvenile justice programs.
- (uu) Section 985.711, relating to introduction, removal, or possession of contraband at a juvenile detention facility or commitment program.

(2) Any misdemeanor offense prohibited under any of the following statutes:

- (a) Section 784.03, relating to battery, if the victim of the offense was a minor.
- (b) Section 787.025, relating to luring or enticing a child.

(3) Any criminal act committed in another state or under federal law which, if committed in this state, constitutes an offense prohibited under any statute listed in subsection (1) or subsection (2).

(4) Any delinquent act committed in this state or any delinquent or criminal act committed in another state or under federal law which, if committed in this state, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under s. 943.0435(1)(h)1.d.

Section 35. Subsection (2) of section 1012.32, Florida Statutes, is amended to read:

1012.32 Qualifications of personnel.—

(2)(a) Instructional and noninstructional personnel who are hired or contracted to fill positions that require direct contact with students in any district school system or university lab school must, upon employment or engagement to provide services, undergo background screening as required under s. 1012.465 or s. 1012.56, whichever is applicable.

(b) Instructional and noninstructional personnel who are hired or contracted to fill positions in any charter school and members of the governing board of any charter school, in compliance with s. 1002.33(12)(g), must, upon employment, engagement of services, or appointment, undergo background screening as required under s. 1012.465 or s. 1012.56, whichever is applicable, by filing with the district school board for the school district in which the charter school is located a complete set of fingerprints taken by an authorized law enforcement agency or an employee of the school or school district who is trained to take fingerprints.

(c) Instructional and noninstructional personnel who are hired or contracted to fill positions that require direct contact with students in an alternative school that operates under contract with a district school system must, upon employment or engagement to provide services, undergo background screening as required under s. 1012.465 or s. 1012.56, whichever is applicable, by filing with the district school board for the school district to which the alternative school is under contract a complete set of fingerprints taken by an authorized law enforcement agency or an employee of the school or school district who is trained to take fingerprints.

(d) Student teachers and persons participating in a field experience pursuant to s. 1004.04(5) or s. 1004.85 in any district school system, lab school, or charter school must, upon engagement to provide services, undergo background screening as required under s. 1012.56.

Fingerprints shall be submitted to the Department of Law Enforcement for statewide criminal and juvenile records checks and to the Federal Bureau of Investigation for federal criminal records checks. A person subject to this subsection who is found ineligible for employment under s. 1012.315, or otherwise found through background screening to have been convicted of any crime involving moral turpitude as defined by rule of the State Board of Education, shall not be employed, engaged to provide services, or serve in any position that requires direct contact with students. Probationary persons subject to this subsection terminated because of their criminal record have the right to appeal such decisions. The cost of the background screening may be borne by the district school board, the charter school, the employee, the contractor, or a person subject to this subsection. *A district school board shall reimburse a charter school the cost of background screening if it does not notify the charter school of the eligibility of a governing board members or instructional or noninstructional personnel within the earlier of 14 days after receipt of the background screening results from the Florida Department of Law Enforcement or 30 days of submission of fingerprints by the governing board member or instructional or noninstructional personnel.*

Section 36. Section 1012.562, Florida Statutes, is amended to read:

1012.562 Public accountability and state approval of school leader preparation programs.—The Department of Education shall establish a process for the approval of Level I and Level II school leader preparation programs that will enable aspiring school leaders to obtain their certificate in educational leadership under s. 1012.56. School leader preparation programs must be competency-based, aligned to the principal leadership standards adopted by the state board, and open to individuals employed by public schools, including charter schools and virtual schools. Level I programs ~~may be offered by school districts or post-secondary institutions and~~ lead to initial certification in educational leadership for the purpose of preparing individuals to serve as school administrators. Level II programs ~~may be offered by school districts,~~

build upon Level I training; and lead to renewal certification as a school principal.

(1) **PURPOSE.**—The purpose of school leader preparation programs are to:

(a) Increase the supply of effective school leaders in the public schools of this state.

(b) Produce school leaders who are prepared to lead the state's diverse student population in meeting high standards for academic achievement.

(c) Enable school leaders to facilitate the development and retention of effective and highly effective classroom teachers.

(d) Produce leaders with the competencies and skills necessary to achieve the state's education goals.

(e) Sustain the state system of school improvement and education accountability.

(2) **LEVEL I PROGRAMS.**—

(a) Initial approval of a Level I program shall be for a period of 5 years. A postsecondary institution, ~~or~~ school district, *charter school*, or *charter management organization* may submit to the department in a format prescribed by the department an application to establish a Level I school leader preparation program. To be approved, a Level I program must:

1. Provide competency-based training aligned to the principal leadership standards adopted by the State Board of Education.

2. If the program is provided by a postsecondary institution, partner with at least one school district.

3. Describe the qualifications that will be used to determine program admission standards, including a candidate's instructional expertise and leadership potential.

4. Describe how the training provided through the program will be aligned to the personnel evaluation criteria under s. 1012.34.

(b) Renewal of a Level I program's approval shall be for a period of 5 years and shall be based upon evidence of the program's continued ability to meet the requirements of paragraph (a). A postsecondary institution or school district must submit an institutional program evaluation plan in a format prescribed by the department for a Level I program to be considered for renewal. The plan must include:

1. The percentage of personnel who complete the program and are placed in school leadership positions in public schools within the state.

2. Results from the personnel evaluations required under s. 1012.34 for personnel who complete the program.

3. The passage rate of personnel who complete the program on the Florida Education Leadership Examination.

4. The impact personnel who complete the program have on student learning as measured by the formulas developed by the commissioner pursuant to s. 1012.34(7).

5. Strategies for continuous improvement of the program.

6. Strategies for involving personnel who complete the program, other school personnel, community agencies, business representatives, and other stakeholders in the program evaluation process.

7. Additional data included at the discretion of the postsecondary institution or school district.

(c) A Level I program must guarantee the high quality of personnel who complete the program for the first 2 years after program completion or the person's initial certification as a school leader, whichever occurs first. If a person who completed the program is evaluated at less than highly effective or effective under s. 1012.34 and the person's employer requests additional training, the Level I program must provide additional training at no cost to the person or his or her employer. The

training must include the creation of an individualized plan agreed to by the employer that includes specific learning outcomes. The Level I program is not responsible for the person's employment contract with his or her employer.

(3) **LEVEL II PROGRAMS.**—Initial approval and subsequent renewal of a Level II program shall be for a period of 5 years. A school district, *charter school*, or *charter management organization* may submit to the department in a format prescribed by the department an application to establish a Level II school leader preparation program or for program renewal. To be approved or renewed, a Level II program must:

(a) Demonstrate that personnel accepted into the Level II program have:

1. Obtained their certificate in educational leadership under s. 1012.56.

2. Earned a highly effective or effective designation under s. 1012.34.

3. Satisfactorily performed instructional leadership responsibilities as measured by the evaluation system in s. 1012.34.

(b) Demonstrate that the Level II program:

1. Provides competency-based training aligned to the principal leadership standards adopted by the State Board of Education.

2. Provides training aligned to the personnel evaluation criteria under s. 1012.34 and professional development program in s. 1012.986.

3. Provides individualized instruction using a customized learning plan for each person enrolled in the program that is based on data from self-assessment, selection, and appraisal instruments.

4. Conducts program evaluations and implements program improvements using input from personnel who completed the program and employers and data gathered pursuant to paragraph (2)(b).

(c) Gather and monitor the data specified in paragraph (2)(b).

(4) **RULES.**—The State Board of Education shall adopt rules to administer this section.

Section 37. Paragraph (b) of subsection (1) of section 1012.586, Florida Statutes, is amended to read:

1012.586 Additions or changes to certificates; duplicate certificates.—A school district may process via a Department of Education website certificates for the following applications of public school employees:

(1) Addition of a subject coverage or endorsement to a valid Florida certificate on the basis of the completion of the appropriate subject area testing requirements of s. 1012.56(5)(a) or the completion of the requirements of an approved school district program or the inservice components for an endorsement.

(b) By July 1, 2018, and at least once every 5 years thereafter, the department shall conduct a review of existing subject coverage or endorsement requirements in the elementary, reading, and exceptional student educational areas. The review must include reciprocity requirements for out-of-state certificates and requirements for demonstrating competency in the reading instruction professional development topics listed in s. 1012.98(4)(b)11. *The review must also consider the award of an endorsement to an individual who holds a certificate issued by an internationally recognized organization that establishes standards for providing evidence-based interventions to struggling readers or who completes a postsecondary program that is accredited by such organization. Any such certificate or program must require an individual who completes the certificate or program to demonstrate competence in reading intervention strategies through clinical experience.* At the conclusion of each review, the department shall recommend to the state board changes to the subject coverage or endorsement requirements based upon any identified instruction or intervention strategies proven to improve student reading performance. This paragraph does

not authorize the state board to establish any new certification subject coverage.

The employing school district shall charge the employee a fee not to exceed the amount charged by the Department of Education for such services. Each district school board shall retain a portion of the fee as defined in the rules of the State Board of Education. The portion sent to the department shall be used for maintenance of the technology system, the web application, and posting and mailing of the certificate.

Section 38. Paragraph (e) of subsection (1) of section 1012.796, Florida Statutes, is amended to read:

1012.796 Complaints against teachers and administrators; procedure; penalties.—

(1)

(e) If allegations arise against an employee who is certified under s. 1012.56 and employed in an educator-certificated position in any public school, charter school or governing board thereof, or private school that accepts scholarship students *who participate in a state scholarship program under chapter 1002* ~~under s. 1002.39 or s. 1002.395~~, the school shall file in writing with the department a legally sufficient complaint within 30 days after the date on which the subject matter of the complaint came to the attention of the school. A complaint is legally sufficient if it contains ultimate facts that show a violation has occurred as provided in s. 1012.795 and defined by rule of the State Board of Education. The school shall include all known information relating to the complaint with the filing of the complaint. This paragraph does not limit or restrict the power and duty of the department to investigate complaints, regardless of the school's untimely filing, or failure to file, complaints and followup reports.

Section 39. Subsection (11) of section 1012.98, Florida Statutes, is amended to read:

1012.98 School Community Professional Development Act.—

(11) The department shall disseminate to the school community proven model professional development programs that have demonstrated success in increasing rigorous and relevant content, increasing student achievement and engagement, meeting identified student needs, and providing effective mentorship activities to new teachers and training to teacher mentors. The methods of dissemination must include a web-based statewide performance-support system including a database of exemplary professional development activities, a listing of available professional development resources, training programs, and available technical assistance. *Professional development resources must include sample course-at-a-glance and unit overview templates that school districts may use when developing curriculum. The templates must provide an organized structure for addressing the Florida Standards, grade-level expectations, evidence outcomes, and 21st century skills that build to students' mastery of the standards at each grade level. Each template must support teaching to greater intellectual depth and emphasize transfer and application of concepts, content, and skills. At a minimum, each template must:*

(a) *Provide course or year-long sequencing of concept-based unit overviews based on the Florida Standards.*

(b) *Describe the knowledge and vocabulary necessary for comprehension.*

(c) *Promote the instructional shifts required within the Florida Standards.*

(d) *Illustrate the interdependence of grade level expectations within and across content areas within a grade.*

Section 40. Paragraph (a) of subsection (2) of section 1013.28, Florida Statutes, is amended to read:

1013.28 Disposal of property.—

(2) TANGIBLE PERSONAL PROPERTY.—

(a) Tangible personal property that has been properly classified as surplus by a district school board or Florida College System institution

board of trustees shall be disposed of in accordance with the procedure established by chapter 274. However, the provisions of chapter 274 shall not be applicable to a motor vehicle used in driver education to which title is obtained for a token amount from an automobile dealer or manufacturer. In such cases, the disposal of the vehicle shall be as prescribed in the contractual agreement between the automotive agency or manufacturer and the board. *Tangible personal property that has been properly classified as surplus, marked for disposal, or otherwise unused by a district school board shall be provided for a charter school's use on the same basis as it is made available to other public schools in the district. A charter school receiving property from the school district may not sell or dispose of such property without the written permission of the school district.*

Section 41. Present paragraphs (a) through (d) of subsection (1) of section 1013.31, Florida Statutes, are redesignated as paragraphs (b) through (e), respectively, and a new paragraph (a) is added to that subsection, to read:

1013.31 Educational plant survey; localized need assessment; PECO project funding.—

(1) At least every 5 years, each board shall arrange for an educational plant survey, to aid in formulating plans for housing the educational program and student population, faculty, administrators, staff, and auxiliary and ancillary services of the district or campus, including consideration of the local comprehensive plan. The Department of Education shall document the need for additional career and adult education programs and the continuation of existing programs before facility construction or renovation related to career or adult education may be included in the educational plant survey of a school district or Florida College System institution that delivers career or adult education programs. Information used by the Department of Education to establish facility needs must include, but need not be limited to, labor market data, needs analysis, and information submitted by the school district or Florida College System institution.

(a) *Educational plant survey and localized need assessment for capital outlay purposes.—A district may only use funds from the following sources for educational, auxiliary, and ancillary plant capital outlay purposes without needing a survey recommendation:*

1. *The local capital outlay improvement fund, consisting of funds that come from and are a part of the district's basic operating budget;*
2. *If a board decides to build an educational, auxiliary, or ancillary facility without a survey recommendation and the taxpayers approve a bond referendum, the voted bond referendum;*
3. *One-half cent sales surtax revenue;*
4. *One cent local governmental surtax revenue;*
5. *Impact fees; and*
6. *Private gifts or donations.*

Section 42. Paragraph (e) is added to subsection (2) of section 1013.385, Florida Statutes, to read:

1013.385 School district construction flexibility.—

(2) A resolution adopted under this section may propose implementation of exceptions to requirements of the uniform statewide building code for the planning and construction of public educational and ancillary plants adopted pursuant to ss. 553.73 and 1013.37 relating to:

(e) *Any other provisions that limit the ability of a school to operate in a facility on the same basis as a charter school pursuant to s. 1002.33(18) so long as the regional planning council determines that there is sufficient shelter capacity within the school district as documented in the Statewide Emergency Shelter Plan.*

Section 43. Subsections (1), (3), and (5) of section 1013.62, Florida Statutes, are amended to read:

1013.62 Charter schools capital outlay funding.—

(1) ~~For the 2018-2019 fiscal year, charter school capital outlay funding shall consist of revenue resulting from the discretionary millage authorized in s. 1011.71(2) and state funds when such funds are appropriated in the 2018-2019 General Appropriations Act. Beginning in fiscal year 2019-2020, charter school capital outlay funding shall consist of state funds when such funds are appropriated in the General Appropriations Act and revenue resulting from the discretionary millage authorized in s. 1011.71(2) if the amount of state funds appropriated for charter school capital outlay in any fiscal year is less than the average charter school capital outlay funds per unweighted full-time equivalent student for the 2018-2019 fiscal year, multiplied by the estimated number of charter school students for the applicable fiscal year, and adjusted by changes in the Consumer Price Index issued by the United States Department of Labor from the previous fiscal year. Nothing in this subsection prohibits a school district from distributing to charter schools funds resulting from the discretionary millage authorized in s. 1011.71(2).~~

(a) To be eligible to receive capital outlay funds, a charter school must:

- 1.a. Have been in operation for 2 or more years;
 - b. Be governed by a governing board established in the state for 2 or more years which operates both charter schools and conversion charter schools within the state;
 - c. Be an expanded feeder chain of a charter school within the same school district that is currently receiving charter school capital outlay funds;
 - d. Have been accredited by a regional accrediting association as defined by State Board of Education rule; or
 - e. Serve students in facilities that are provided by a business partner for a charter school-in-the-workplace pursuant to s. 1002.33(15)(b).
2. Have an annual audit that does not reveal any of the financial emergency conditions provided in s. 218.503(1) for the most recent fiscal year for which such audit results are available.
 3. Have satisfactory student achievement based on state accountability standards applicable to the charter school.
 4. Have received final approval from its sponsor pursuant to s. 1002.33 for operation during that fiscal year.
 5. Serve students in facilities that are not provided by the charter school's sponsor.

(b) A charter school is not eligible to receive capital outlay funds if it was created by the conversion of a public school and operates in facilities provided by the charter school's sponsor for a nominal fee, or at no charge, or if it is directly or indirectly operated by the school district.

(3) If the school board levies the discretionary millage authorized in s. 1011.71(2), and the state funds appropriated for charter school capital outlay in any fiscal year are less than the average charter school capital outlay funds per unweighted full-time equivalent student for the 2018-2019 fiscal year, multiplied by the estimated number of charter school students for the applicable fiscal year, and adjusted by changes in the Consumer Price Index issued by the United States Department of Labor from the previous fiscal year, the department shall use the following calculation methodology to determine the amount of revenue that a school district must distribute to each eligible charter school:

(a) Reduce the total discretionary millage revenue by the school district's annual debt service obligation incurred as of March 1, 2017, which has not been subsequently retired, and any amount of participation requirement pursuant to s. 1013.64(2)(a)8. that is being satisfied by revenues raised by the discretionary millage.

(b) Divide the school district's adjusted discretionary millage revenue by the district's total capital outlay full-time equivalent membership and the total number of unweighted full-time equivalent students of each eligible charter school to determine a capital outlay allocation per full-time equivalent student.

(c) Multiply the capital outlay allocation per full-time equivalent student by the total number of full-time equivalent students of each eligible charter school to determine the capital outlay allocation for each charter school.

(d) If applicable, reduce the capital outlay allocation identified in paragraph (c) by the total amount of state funds allocated to each eligible charter school in subsection (2) to determine the maximum calculated capital outlay allocation.

(e) School districts shall distribute capital outlay funds to charter schools no later than February 1 of each year, as required by this subsection, based on the amount of funds received by the district school board, ~~beginning on February 1, 2018, for the 2017-2018 fiscal year.~~ School districts shall distribute any remaining capital outlay funds, as required by this subsection, upon the receipt of such funds until the total amount calculated pursuant to this subsection is distributed.

By October 1 of each year, each school district shall certify to the department the amount of debt service and participation requirement that complies with the requirement of paragraph (a) and can be reduced from the total discretionary millage revenue. The Auditor General shall verify compliance with the requirements of paragraph (a) and s. 1011.71(2)(e) during scheduled operational audits of school districts.

(5) If a charter school is nonrenewed or terminated, any unencumbered funds and all equipment and property purchased with district public funds shall revert to the ownership of the district school board, as provided for in s. 1002.33(8)(d) and (e) ~~s. 1002.33(8)(e) and (f).~~ In the case of a charter lab school, any unencumbered funds and all equipment and property purchased with university public funds shall revert to the ownership of the state university that issued the charter. The reversion of such equipment, property, and furnishings shall focus on recoverable assets, but not on intangible or irrecoverable costs such as rental or leasing fees, normal maintenance, and limited renovations. The reversion of all property secured with public funds is subject to the complete satisfaction of all lawful liens or encumbrances. If there are additional local issues such as the shared use of facilities or partial ownership of facilities or property, these issues shall be agreed to in the charter contract prior to the expenditure of funds.

Section 44. For the 2018-2019 fiscal year, the sum of \$13,750,000 in recurring funds from the General Revenue Fund and the sum of \$850,000 in nonrecurring funds from the General Revenue Fund are appropriated to the Department of Education to implement this act, except as provided in this section. Of the recurring funds, \$9,700,000 shall be used to fund reading scholarship accounts pursuant to s. 1002.411, Florida Statutes, \$300,000 shall be provided as an administrative fee pursuant to s. 1002.411(7)(g), Florida Statutes, \$2,000,000 shall be used to implement the provisions of s. 1002.40(8), Florida Statutes, \$950,000 shall be used to implement the additional oversight requirements pursuant to s. 1002.421, Florida Statutes, \$250,000 shall be used to issue a competitive grant award pursuant to s. 1002.395(9), Florida Statutes, and \$550,000 shall be used for instructional materials pursuant to s. 1007.271(13), Florida Statutes. Of the nonrecurring funds, and contingent upon HB 1279 or similar legislation in the 2018 regular session or an extension thereof becoming law, \$750,000 shall be used to fund the web-based fiscal transparency tool required pursuant to s. 1010.20(2)(c), Florida Statutes, and \$100,000 shall be used to implement the provisions of s. 1011.051(2)(b), Florida Statutes, as provided in HB 1279.

Section 45. For the 2017-2018 fiscal year, the sum of \$150,000 in nonrecurring funds from the General Revenue Fund are appropriated to the Department of Revenue to implement the creation of s. 212.099, Florida Statutes, by this act.

Section 46. The amendments made by this act to ss. 220.13, 220.1875, and 1002.395, Florida Statutes, apply to taxable years beginning on or after January 1, 2018.

Section 47. (1) The Department of Revenue is authorized, and all conditions are deemed to be met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of administering the provisions of this act.

(2) Notwithstanding any other provision of law, emergency rules adopted pursuant to subsection (1) are effective for 6 months after

adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

(3) *This section shall take effect upon this act becoming a law and shall expire January 1, 2022.*

Section 48. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2018.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to education; creating s. 212.099, F.S.; defining terms; authorizing eligible businesses to receive a tax credit against specified taxes; requiring eligible businesses to apply to the Department of Revenue for an allocation; specifying uses for eligible contributions; requiring the department to adopt rules; amending s. 212.1831, F.S.; modifying the calculation of the dealer's collection allowance under s. 212.12 to include certain contributions to eligible nonprofit scholarship-funding organizations; creating s. 212.1832, F.S.; authorizing certain persons to receive a tax credit for certain contributions to eligible nonprofit scholarship-funding organizations for the Hope Scholarship Program; providing requirements for motor vehicle dealers; requiring the Department of Revenue to disregard certain tax credits for specified purposes; providing that specified provisions apply to certain provisions; amending s. 213.053, F.S.; providing definitions; authorizing the Department of Revenue to provide a list of certain taxpayers to certain nonprofit scholarship-funding organizations; amending s. 220.13, F.S.; providing an exception to the additions to the calculation of adjusted taxable income for corporate income tax purposes; amending s. 220.1875, F.S.; providing a deadline for an eligible contribution to be made to an eligible nonprofit scholarship-funding organization; determining compliance with the requirement to pay tentative taxes under ss. 220.222 and 220.32 for tax credits under s. 1002.395; amending s. 1001.10, F.S.; revising the private schools to which the Department of Education is required to provide technical assistance and authorized staff; amending s. 1002.33, F.S.; revising the criteria for denying high-performing charter school system applications; revising the requirements for the term of a charter; revising provisions for the modification of and the nonrenewal or termination of a charter; revising the process for resolving contractual disputes; requiring a sponsor to provide specified information to the department annually; requiring the department to include the information in a specified report; amending s. 1002.331, F.S.; revising the criteria for designation as a high-performing charter school; revising the calculation used to determine facility capacity for such charter schools; revising the number of schools that can be established by a high-performing charter school; amending s. 1002.333, F.S.; providing for certain funds for the Schools of Hope Program to be carried forward for a specified number of years; amending s. 1002.37, F.S.; providing that certain students shall be given priority; requiring school districts to provide Florida Virtual School students access to certain examinations and assessments and certain information; amending s. 1002.385, F.S.; revising eligible expenditures for the Gardiner Scholarship Program; conforming provisions to changes made by the act; amending s. 1002.39, F.S.; conforming provisions to changes made by the act; amending s. 1002.395, F.S.; revising the requirements for an annual report of certain student data for the Florida Tax Credit Scholarship Program; providing an application deadline for certain tax credits related to nonprofit scholarship-funding organizations; extending the carry forward period for unused tax credits from 5 years to 10 years; providing applicability of the carried forward tax credit for purposes of certain taxes; removing the requirement for a taxpayer to apply to the department for approval of a carry forward tax credit; conforming provisions to changes made by the act; creating s. 1002.40, F.S.; establishing the Hope Scholarship Program; providing the purpose of the program; providing definitions; providing eligibility requirements; prohibiting the payment of a scholarship under certain circumstances; requiring a school principal to investigate a report of physical violence or emotional abuse; requiring a school district to notify an eligible student's parent of the program; requiring a school district to provide certain information relating to the statewide assessment program; providing requirements and obligations for eligible private schools; providing department obligations relating to participating

students and private schools and program requirements; providing parent and student responsibilities for initial and continued participation in the program; providing eligible nonprofit scholarship-funding organization obligations; providing for the calculation of the scholarship amount; providing the scholarship amount for students transferred to certain public schools; requiring verification of specified information before a scholarship may be disbursed; providing requirements for the scholarship payments; providing funds for administrative expenses for certain nonprofit scholarship-funding organizations; providing requirements for administrative expenses; prohibiting an eligible nonprofit scholarship-funding organization from charging an application fee; providing Auditor General obligations; providing requirements for taxpayer elections to contribute to the program; requiring the Department of Revenue to adopt forms to administer the program; providing reporting requirements for eligible nonprofit scholarship-funding organizations relating to taxpayer contributions; providing requirements for certain agents of the Department of Revenue and motor vehicle dealers; providing penalties; providing for the restitution of specified funds under certain circumstances; providing that the state is not liable for the award or use of program funds; prohibiting additional regulations for private schools participating in the program beyond those necessary to enforce program requirements; requiring the State Board of Education and the Department of Revenue to adopt rules to administer the program; creating s. 1002.411, F.S.; establishing reading scholarship accounts for specified purposes; providing for eligibility for scholarships; providing for administration; providing duties of the Department of Education; providing school district obligations; specifying options for parents; providing that maximum funding shall be specified in the General Appropriations Act; providing for payment of funds; specifying that no state liability arises from the award or use of such an account; amending s. 1002.421, F.S.; providing private school requirements for participation in educational scholarship programs; providing background screening requirements and procedures for owners of private schools; providing that a private school is ineligible to participate in an educational scholarship program under certain circumstances; providing department obligations relating to educational scholarship programs; providing commissioner authority and responsibilities for educational scholarship programs; authorizing the commissioner to deny, suspend, or revoke a private school's participation in an educational scholarship program; amending s. 1002.55, F.S.; authorizing an early learning coalition to refuse to contract with certain private pre-kindergarten providers; amending s. 1002.75, F.S.; authorizing an early learning coalition to refuse to contract with or revoke the eligibility of certain Voluntary Prekindergarten Education Program providers; amending s. 1002.88, F.S.; authorizing an early learning coalition to refuse to contract with or revoke the eligibility of certain school readiness program providers; amending s. 1003.44, F.S.; requiring each district school board to adopt rules for the display of the official state motto in specified places; amending s. 1003.453, F.S.; revising school wellness policies; providing requirements for instruction in the use of cardiopulmonary resuscitation; amending s. 1003.576, F.S.; requiring a specified IEP system to be used statewide; deleting an obsolete date; amending s. 1006.061, F.S.; revising the applicability of certain child abuse, abandonment, and neglect provisions; amending s. 1007.271, F.S.; deleting a requirement for a home education student to provide his or her own instructional materials; revising the requirements for home education and private school articulation agreements; amending s. 1008.22, F.S.; requiring certain portions of the English Language Arts assessments to include social studies content; revising the format requirements for certain statewide assessments; requiring published assessment items to be in a format that meets certain criteria; amending s. 1011.62, F.S.; renaming the "supplemental academic instruction categorical fund" as the "supplemental academic instruction allocation"; requiring certain school districts to use the allocation for specified purposes; deleting an obsolete date; deleting a provision authorizing the Florida State University School to expend specified funds for certain purposes; prohibiting the award of certain bonuses to teachers who fail to maintain the security of certain examinations or violate certain protocols; authorizing the state board to adopt rules for specified purposes; conforming provisions to changes made by the act; revising the research-based reading instruction allocation; revising the criteria for establishing the 300 lowest-performing elementary schools; providing requirements for staffing summer reading camps funded through the

allocation; requiring school districts that meet specified criteria, rather than all school districts, to submit a comprehensive reading plan for specified purposes; deleting provisions for the release or withholding of funds based on a school district's comprehensive reading plan; revising a definition; requiring K-12 comprehensive reading plans to provide for intensive reading interventions that are delivered by teachers who meet certain criteria beginning with a specified school year; providing requirements for such interventions; amending s. 1011.6202, F.S.; renaming the "Principal Autonomy Pilot Program" as the "Principal Autonomy Program"; providing that any school district may apply to participate in the program; providing that a school shall retain its exemption from specified laws under specified circumstances; requiring a designated leadership team at a participating school to complete a certain turnaround program; deleting a provision providing a specified amount of funds to a participating school district that completes the turnaround program; providing requirements for such schools; providing for such schools to participate in the program; providing requirements for such participation; specifying that no school district liability arises from the management of such schools; deleting a school's authority to renew participation in the program; deleting reporting requirements; providing for funding; revising the principal eligibility criteria for a salary supplement through the program; amending s. 1011.69, F.S.; authorizing certain high schools to receive Title I funds; providing that a school district may withhold Title I funds for specified purposes; authorizing certain schools to use Title I funds for specified purposes; providing an exception for specified funds; amending s. 1011.71, F.S.; prohibiting a school district from withholding charter school administrative fees under certain circumstances; amending s. 1012.2315, F.S.; requiring certain employee organizations to include specified information in a specified application and to petition for recertification for specified purposes; amending s. 1012.28, F.S.; conforming provisions to changes made by the act; amending s. 1012.315, F.S.; revising the applicability of certain provisions related to disqualification from employment for the conviction of specified offenses; amending s. 1012.32, F.S.; requiring a district school board to reimburse certain costs if it fails to notify a charter school of the eligibility status of certain persons; amending s. 1012.562, F.S.; authorizing charter schools and charter management organizations to offer school leader preparation programs; amending s. 1012.586, F.S.; requiring the Department of Education to consider the award of endorsements for a teaching certificate to individuals who hold specified certifications or who complete specified programs that meet certain criteria in a specified review; amending s. 1012.796, F.S.; revising the applicability of a requirement that certain private schools file specified reports with the department for certain allegations against its employees; amending s. 1012.98, F.S.; requiring professional development resources to include sample course-at-a-glance and unit overview templates; providing requirements for such templates; amending s. 1013.28, F.S.; requiring school districts to provide charter schools access to certain property on the same basis as public schools; prohibiting certain actions by a charter school without the written permission of the school district; amending s. 1013.31, F.S.; authorizing a district to use certain sources of funds for educational, auxiliary, and ancillary plant capital outlay purposes without needing a survey recommendation; amending s. 1013.385, F.S.; providing additional exceptions to certain building code regulations for school districts; amending s. 1013.62, F.S.; revising requirements for charter school capital outlay funding; requiring each district to certify certain information to the department by October 1 each year; conforming provisions to changes made by the act; providing appropriations; providing retroactive applicability; authorizing the Department of Revenue to adopt emergency rules for specified purposes; providing an effective date.

Pursuant to Rule 7.1, there being no objection, consideration of the following late-filed amendment was allowed:

Senator Thurston moved the following amendment to **Amendment 3 (734058)** which failed:

Amendment 3A (489008) (with title amendment)—Delete lines 3996-4032.

And the title is amended as follows:

Delete lines 4919-4922 and insert: circumstances; amending

The vote was:

Yeas—17

Book	Gibson	Stewart
Bracy	Montford	Taddeo
Braynon	Powell	Thurston
Campbell	Rader	Torres
Farmer	Rodriguez	Young
Gainer	Rouson	

Nays—21

Mr. President	Flores	Mayfield
Braxley	Galvano	Passidomo
Bean	Garcia	Perry
Benacquisto	Grimsley	Simmons
Bradley	Hukill	Simpson
Brandes	Hutson	Stargel
Broxson	Lee	Steube

Vote after roll call:

Yea to Nay—Gainer

Pursuant to Rule 7.1, there being no objection, consideration of the following late-filed amendment was allowed:

Senator Stargel moved the following amendment to **Amendment 3 (734058)** which was adopted:

Amendment 3B (139702) (with title amendment)—Delete lines 435-436 and insert:

school year, or to be opened at a time *determined* ~~agreed to~~ by the applicant ~~and the sponsor~~. A sponsor may not refuse to receive a

And the title is amended as follows:

Between lines 4730 and 4731 insert: the charter school application and review process relating to the opening of a school; revising

Pursuant to Rule 7.1, there being no objection, consideration of the following late-filed amendments was allowed:

Senator Farmer moved the following amendments to **Amendment 3 (734058)** which failed:

Amendment 3C (189308)—Delete line 755 and insert:

3. Violation of law.

Amendment 3D (156846) (with directory amendment)—Delete lines 757-787.

And the directory clause is amended as follows:

Delete line 414 and insert: present paragraph (a) of subsection (8),

Amendment 3E (234358)—Delete lines 747-748 and insert: *that one of the grounds set forth below exists by a preponderance of the evidence* ~~for any of the following grounds:~~

Pursuant to Rule 7.1, there being no objection, consideration of the following late-filed amendment was allowed:

Senator Steube moved the following amendment to **Amendment 3 (734058)** which was adopted:

Amendment 3F (213912) (with title amendment)—Between lines 3148 and 3149 insert:

Section 26. Paragraphs (c), (d), and (e) of subsection (3) of section 1006.15, Florida Statutes, are amended to read:

1006.15 Student standards for participation in interscholastic and intrascholastic extracurricular student activities; regulation.—

(3)

(c) An individual home education student is eligible to participate at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend pursuant to s. 1002.31, or may develop an agreement to participate at a private school, in the interscholastic extracurricular activities of that school, provided the following conditions are met:

1. The home education student must meet the requirements of the home education program pursuant to s. 1002.41.

2. During the period of participation at a school, the home education student must demonstrate educational progress as required in paragraph (b) in all subjects taken in the home education program by a method of evaluation agreed upon by the parent and the school principal which may include: review of the student's work by a certified teacher chosen by the parent; grades earned through correspondence; grades earned in courses taken at a Florida College System institution, university, or trade school; standardized test scores above the 35th percentile; or any other method designated in s. 1002.41.

3. The home education student must meet the same residency requirements as other students in the school at which he or she participates.

4. The home education student must meet the same standards of acceptance, behavior, and performance as required of other students in extracurricular activities.

5. The student must register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the school before ~~participation the beginning date of the season for the activity in which he or she wishes to participate~~. A home education student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

6. A student who transfers from a home education program to a public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period provided the student has a successful evaluation from the previous school year, pursuant to subparagraph 2.

7. Any public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a home education student until the student has successfully completed one grading period in home education pursuant to subparagraph 2. to become eligible to participate as a home education student.

(d) An individual charter school student pursuant to s. 1002.33 is eligible to participate at the public school to which the student would be assigned according to district school board attendance area policies or which the student could attend in any interscholastic extracurricular activity of that school, unless such activity is provided by the student's charter school, if the following conditions are met:

1. The charter school student must meet the requirements of the charter school education program as determined by the charter school governing board.

2. During the period of participation at a school, the charter school student must demonstrate educational progress as required in paragraph (b).

3. The charter school student must meet the same residency requirements as other students in the school at which he or she participates.

4. The charter school student must meet the same standards of acceptance, behavior, and performance that are required of other students in extracurricular activities.

5. The charter school student must register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the school before ~~participation the beginning date of the season for the activity in which he or she wishes to participate~~. A

charter school student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

6. A student who transfers from a charter school program to a traditional public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period if the student has a successful evaluation from the previous school year, pursuant to subparagraph 2.

7. Any public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a charter school student until the student has successfully completed one grading period in a charter school pursuant to subparagraph 2. to become eligible to participate as a charter school student.

(e) A student of the Florida Virtual School full-time program may participate in any interscholastic extracurricular activity at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend pursuant to s. 1002.31 if the student:

1. During the period of participation in the interscholastic extracurricular activity, meets the requirements in paragraph (a).

2. Meets any additional requirements as determined by the board of trustees of the Florida Virtual School.

3. Meets the same residency requirements as other students in the school at which he or she participates.

4. Meets the same standards of acceptance, behavior, and performance that are required of other students in extracurricular activities.

5. Registers his or her intent to participate in interscholastic extracurricular activities with the school before ~~participation the beginning date of the season for the activity in which he or she wishes to participate~~. A Florida Virtual school student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

And the title is amended as follows:

Delete line 4854 and insert: and neglect provisions; amending s. 1006.15, F.S.; revising requirements for participation in extracurricular student activities for certain students; amending s. 1007.271, F.S.;

Pursuant to Rule 7.1, there being no objection, consideration of the following late-filed amendments was allowed:

Senator Simmons moved the following amendments to **Amendment 3 (734058)** which were adopted:

Amendment 3G (331972)—Delete lines 3585-3590 and insert: based on a 3-year average of the state reading assessment data must use the school's portion of the allocation to provide ~~shall give priority to providing~~ an additional hour per day of intensive reading instruction ~~beyond the normal school day for each day of the entire school year for the students in each school. The additional hour may be provided within the school day. The designation of the 300 lowest performing elementary~~

Amendment 3H (264370)—Delete line 3385 and insert: other methods of improving student achievement. *Each school district that has one or more of the 300 lowest-performing elementary schools based on a 3-year average of the state reading assessment data must use the school's portion of the allocation to provide an additional hour per day of intensive reading for the students in each school. The additional hour may be provided within the school day. Students enrolled in these schools who earned a level 4 or level 5 score on the statewide, standardized English Language Arts assessment for the previous school year may participate in the extra hour of instruction.* Supplemental

Pursuant to Rule 7.1, there being no objection, consideration of the following late-filed amendment was allowed:

Senator Farmer moved the following amendment to **Amendment 3 (734058)** which failed:

Amendment 3I (785856) (with title amendment)—Delete lines 194-252.

And the title is amended as follows:

Delete lines 4715-4718 and insert: certain provisions;

Pursuant to Rule 7.1, there being no objection, consideration of the following late-filed amendment was allowed:

Senator Mayfield moved the following amendment to **Amendment 3 (734058)** which was adopted:

Amendment 3J (295692) (with title amendment)—Before line 5 insert:

Section 1. Paragraph (b) of subsection (13) of section 121.091, Florida Statutes, is amended to read:

121.091 Benefits payable under the system.—Benefits may not be paid under this section unless the member has terminated employment as provided in s. 121.021(39)(a) or begun participation in the Deferred Retirement Option Program as provided in subsection (13), and a proper application has been filed in the manner prescribed by the department. The department may cancel an application for retirement benefits when the member or beneficiary fails to timely provide the information and documents required by this chapter and the department's rules. The department shall adopt rules establishing procedures for application for retirement benefits and for the cancellation of such application when the required information or documents are not received.

(13) DEFERRED RETIREMENT OPTION PROGRAM.—In general, and subject to this section, the Deferred Retirement Option Program, hereinafter referred to as DROP, is a program under which an eligible member of the Florida Retirement System may elect to participate, deferring receipt of retirement benefits while continuing employment with his or her Florida Retirement System employer. The deferred monthly benefits shall accrue in the Florida Retirement System on behalf of the member, plus interest compounded monthly, for the specified period of the DROP participation, as provided in paragraph (c). Upon termination of employment, the member shall receive the total DROP benefits and begin to receive the previously determined normal retirement benefits. Participation in the DROP does not guarantee employment for the specified period of DROP. Participation in DROP by an eligible member beyond the initial 60-month period as authorized in this subsection shall be on an annual contractual basis for all participants.

(b) *Participation in DROP.*—*Except as provided in this paragraph, an eligible member may elect to participate in DROP for a period not to exceed a maximum of 60 calendar months.*

1.a. An eligible member may elect to participate in DROP for a period not to exceed a maximum of 60 calendar months. However, members who are instructional personnel employed by the Florida School for the Deaf and the Blind and authorized by the Board of Trustees of the Florida School for the Deaf and the Blind, who are instructional personnel as defined in s. 1012.01(2)(a)-(d) in grades K-12 and authorized by the district school superintendent, or who are instructional personnel as defined in s. 1012.01(2)(a) employed by a developmental research school and authorized by the school's director, or if the school has no director, by the school's principal, may participate in DROP for up to 36 calendar months beyond the 60-month period. *Effective July 1, 2018, instructional personnel who are authorized to extend DROP participation beyond the 60-month period must have a termination date that is the last day of the last calendar month of the school year within the DROP extension granted by the employer. If, on July 1, 2018, the member's DROP participation has already been extended for the maximum 36 calendar months and the extension period concludes before the end of the school year, the member's DROP participation may be extended through the last day of the last calendar month of that school year. The employer shall notify the division of the change in termination date and the additional period of DROP participation for the affected instructional personnel.*

b. *Administrative personnel in grades K-12, as defined in s. 1012.01(3), who have a DROP termination date on or after July 1, 2018, may be authorized to extend DROP participation beyond the initial 60*

calendar month period if the administrative personnel's termination date is before the end of the school year. Such administrative personnel may have DROP participation extended until the last day of the last calendar month of the school year in which their original DROP termination date occurred if a date other than the last day of the last calendar month of the school year is designated. The employer shall notify the division of the change in termination date and the additional period of DROP participation for the affected administrative personnel.

2. Upon deciding to participate in DROP, the member shall submit, on forms required by the division:

- a. A written election to participate in DROP;
- b. Selection of DROP participation and termination dates that satisfy the limitations stated in paragraph (a) and subparagraph 1. The termination date must be in a binding letter of resignation to the employer establishing a deferred termination date. The member may change the termination date within the limitations of subparagraph 1., but only with the written approval of the employer;
- c. A properly completed DROP application for service retirement as provided in this section; and
- d. Any other information required by the division.

3. The DROP participant is a retiree under the Florida Retirement System for all purposes, except for paragraph (5)(f) and subsection (9) and ss. 112.3173, 112.363, 121.053, and 121.122. DROP participation is final and may not be canceled by the participant after the first payment is credited during the DROP participation period. However, participation in DROP does not alter the participant's employment status, and the member is not deemed retired from employment until his or her deferred resignation is effective and termination occurs as defined in s. 121.021.

4. Elected officers are eligible to participate in DROP subject to the following:

- a. An elected officer who reaches normal retirement date during a term of office may defer the election to participate until the next succeeding term in that office. An elected officer who exercises this option may participate in DROP for up to 60 calendar months or no longer than the succeeding term of office, whichever is less.
- b. An elected or a nonelected participant may run for a term of office while participating in DROP and, if elected, extend the DROP termination date accordingly; however, if such additional term of office exceeds the 60-month limitation established in subparagraph 1., and the officer does not resign from office within such 60-month limitation, the retirement and the participant's DROP is null and void as provided in sub-subparagraph (c)5.d.

c. An elected officer who is dually employed and elects to participate in DROP must terminate all employment relationships as provided in s. 121.021(39) for the nonelected position within the original 60-month period or maximum participation period as provided in subparagraph 1. For DROP participation ending:

(I) Before July 1, 2010, the officer may continue employment as an elected officer as provided in s. 121.053. The elected officer shall be enrolled as a renewed member in the Elected Officers' Class or the Regular Class, as provided in ss. 121.053 and 121.122, on the first day of the month after termination of employment in the nonelected position and termination of DROP. Distribution of the DROP benefits shall be made as provided in paragraph (c).

(II) On or after July 1, 2010, the officer may continue employment as an elected officer but must defer termination as provided in s. 121.053.

Section 2. *The Legislature finds that a proper and legitimate state purpose is served when employees and retirees of the state and its political subdivisions, and the dependents, survivors, and beneficiaries of such employees and retirees, are extended the basic protections afforded by governmental retirement systems. These persons must be provided benefits that are fair and adequate and that are managed, administered, and funded in an actuarially sound manner, as required by s. 14, Article X of the State Constitution and part VII of chapter 112, Florida Statutes. Therefore, the Legislature determines and declares that the amendments*

made to s. 121.091, Florida Statutes, by this act fulfills an important state interest.

And the title is amended as follows:

Delete line 4697 and insert: An act relating to education; amending s. 121.091, F.S.; revising limitations on the maximum length of participation in the Deferred Retirement Option Program for certain instructional personnel and administrative personnel; requiring an employer to notify the Division of Retirement of the Department of Management Services regarding any change in termination date and program participation for each affected member; providing a statement of important state interest; creating s. 212.099,

Pursuant to Rule 7.1, there being no objection, consideration of the following late-filed amendment was allowed:

Senator Lee moved the following amendment to **Amendment 3 (734058)** which failed:

Amendment 3K (368248)—Delete line 4024 and insert: *paying membership is less than 40 percent of the employees*

The vote was:

Yeas—19

Book	Lee	Stewart
Bracy	Montford	Taddeo
Braynon	Powell	Thurston
Campbell	Rader	Torres
Farmer	Rodriguez	Young
Garcia	Rouson	
Gibson	Steube	

Nays—19

Mr. President	Flores	Passidomo
Baxley	Gainer	Perry
Bean	Galvano	Simmons
Benacquisto	Grimsley	Simpson
Bradley	Hukill	Stargel
Brandes	Hutson	
Broxson	Mayfield	

Pursuant to Rule 7.1, there being no objection, consideration of the following late-filed amendment was allowed:

Senator Mayfield moved the following amendment to **Amendment 3 (734058)** which was adopted:

Amendment 3L (168862) (with title amendment)—Between lines 4404 and 4405 insert:

Section 38. Paragraph (b) of subsection (3) of section 1012.731, Florida Statutes, is amended to read:

1012.731 The Florida Best and Brightest Teacher Scholarship Program.—

(3)

(b)1. In order to demonstrate eligibility for an award, an eligible classroom teacher must submit to the school district, no later than November 1, an official record of his or her qualifying assessment score and, beginning with the 2020-2021 school year, an official transcript demonstrating that he or she graduated cum laude or higher with a baccalaureate degree, if applicable. Once a classroom teacher is deemed eligible by the school district, the teacher shall remain eligible as long as he or she remains employed by the school district as a classroom teacher at the time of the award and receives an annual performance evaluation rating of highly effective pursuant to s. 1012.34 or is evaluated as highly effective based on a commissioner-approved student learning growth formula pursuant to s. 1012.34(8) for the 2019-2020 school year or thereafter.

2. A school district employee who is no longer a classroom teacher may receive an award if the employee was a classroom teacher in the prior school year, was rated highly effective, and met the requirements of this section as a classroom teacher.

And the title is amended as follows:

Between lines 4938 and 4939 insert: s. 1012.731, F.S.; extending eligibility for the Florida Best and Brightest Teacher Scholarship Program to school district employees who, in the prior school year, were classroom teachers and met certain eligibility requirements; amending

Amendment 3 (734058), as amended, was adopted.

Pursuant to Rule 4.19, **CS for HB 7055**, as amended, was placed on the calendar of Bills on Third Reading.

CS for SB 1884—A bill to be entitled An act relating to military and veterans affairs; creating s. 250.483, F.S.; providing requirements relating to licensure or qualification of persons ordered into active duty or state active duty; amending s. 295.21, F.S.; providing that a member of the board of directors for Florida is for Veterans, Inc., is eligible for reappointment under certain circumstances; amending s. 295.22, F.S.; revising provisions relating to receiving training grants from Florida is for Veterans, Inc.; amending s. 446.041, F.S.; providing duties of the Department of Education; amending s. 446.081, F.S.; providing construction; amending s. 455.02, F.S.; requiring the Department of Business and Professional Regulation to waive certain fees; amending s. 456.024, F.S.; revising licensure eligibility requirements; providing an exemption from certain penalties; amending ss. 472.015, 472.016, 493.6105, 493.6107, and 493.6113, F.S.; requiring the Department of Agriculture and Consumer Services to waive certain fees; amending ss. 494.00312 and 494.00313, F.S.; requiring the Office of Financial Regulation to waive certain fees; amending s. 497.140, F.S.; providing an exemption from a certain fee; amending s. 497.141, F.S.; providing an exemption from a certain fee; amending ss. 497.281, 497.368, 497.369, 497.370, 497.371, 497.373, 497.374, and 497.375, F.S.; providing exemptions from certain fees; creating s. 497.393, F.S.; authorizing the licensing authority to recognize certain military-issued credentials for purposes of licensure; amending ss. 497.453, 497.466, and 497.554, F.S.; providing exemptions from certain fees; amending s. 497.602, F.S.; providing an exemption from an application fee; authorizing the licensing authority to recognize certain military-issued credentials for purposes of licensure; amending s. 501.015, F.S.; requiring the Department of Agriculture and Consumer Services to waive a registration fee; amending ss. 501.605, 501.607, 501.609, and 507.03, F.S.; requiring the Department of Agriculture and Consumer Services to waive certain fees for certain licensees; amending s. 517.12, F.S.; requiring the Office of Financial Regulation to waive certain fees; amending ss. 527.02 and 539.001, F.S.; waiving certain licensing fees; amending ss. 559.904 and 559.928, F.S.; requiring the Department of Agriculture and Consumer Services to waive certain registration fees; amending s. 626.171, F.S.; revising fee waiver qualification requirements for certain applicants; amending ss. 626.732, 626.7851, 626.8311, 626.8417, and 626.927, F.S.; revising preclicensure course requirements for certain applicants; amending s. 633.414, F.S.; authorizing an extension for firefighter certification renewal for certain persons; amending s. 633.444, F.S.; requiring the Division of State Fire Marshal to waive certain expenses associated with attending the Florida State Fire College; creating s. 683.147, F.S.; designating March 25 of each year as “Medal of Honor Day”; amending s. 1002.37, F.S.; revising the order of priority given to students seeking enrollment in the Florida Virtual School; amending s. 1003.42, F.S.; providing for a character development program that incorporates the values of the Congressional Medal of Honor; amending s. 1012.55, F.S.; requiring the State Board of Education to issue a temporary certificate in educational leadership to certain persons; revising certain exemptions from requirements for teacher certification for certain individuals; amending s. 1012.56, F.S.; requiring the State Board of Education to adopt certain rules; amending s. 1012.59, F.S.; requiring the State Board of Education to waive certain fees; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1884**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 29** was withdrawn from the

Committees on Military and Veterans Affairs, Space, and Domestic Security; Governmental Oversight and Accountability; and Rules.

On motion by Senator Broxson—

CS for HB 29—A bill to be entitled An act relating to military and veterans affairs; providing a short title; creating s. 250.483, F.S.; providing requirements relating to licensure or qualification of persons ordered into active duty or state active duty; amending s. 295.21, F.S.; providing that a member of the board of directors for Florida is for Veterans, Inc., shall be eligible for reappointment under certain circumstances; amending s. 295.22, F.S.; revising provisions relating to receiving training grants from Florida is for Veterans, Inc.; amending s. 446.041, F.S.; providing duties of the Department of Education; amending s. 446.081, F.S.; providing construction; amending s. 455.02, F.S.; requiring the Department of Business and Professional Regulation to waive certain fees; amending s. 456.024, F.S.; revising licensure eligibility requirements; providing an exemption from certain penalties; amending ss. 472.015, 472.016, 493.6105, 493.6107, and 493.6113, F.S.; requiring the Department of Agriculture and Consumer Services to waive certain fees; amending ss. 494.00312 and 494.00313, F.S.; requiring the Office of Financial Regulation to waive certain fees; amending s. 497.140, F.S.; providing an exemption from a certain fee; amending s. 497.141, F.S.; providing an exemption from a certain fee; amending ss. 497.281, 497.368, 497.369, 497.370, 497.371, 497.373, 497.374, and 497.375, F.S.; providing exemptions from certain fees; creating s. 497.393, F.S.; authorizing the licensing authority to recognize certain military-issued credentials for purposes of licensure; amending ss. 497.453, 497.466, and 497.554, F.S.; providing exemptions from certain fees; amending s. 497.602, F.S.; providing an exemption from an application fee; authorizing the licensing authority to recognize certain military-issued credentials for purposes of licensure; amending s. 501.015, F.S.; requiring the Department of Agriculture and Consumer Services to waive a registration fee; amending ss. 501.605, 501.607, 501.609, and 507.03, F.S.; requiring the Department of Agriculture and Consumer Services to waive certain fees for certain licensees; amending s. 517.12, F.S.; requiring the Office of Financial Regulation to waive certain fees; amending ss. 527.02 and 539.001, F.S.; waiving certain licensing fees; amending ss. 559.904 and 559.928, F.S.; requiring the Department of Agriculture and Consumer Services to waive certain registration fees; amending s. 626.171, F.S.; revising fee waiver qualification requirements for certain applicants; amending ss. 626.732, 626.7851, 626.8311, 626.8417, and 626.927, F.S.; revising prelicensure course requirements for certain applicants; amending s. 633.414, F.S.; authorizing an extension for firefighter certification renewal for certain persons; amending s. 633.444, F.S.; requiring the Division of State Fire Marshal to waive certain expenses associated with attending the Florida State Fire College; creating s. 683.147, F.S.; designating March 25 of each year as “Medal of Honor Day”; amending s. 1002.37, F.S.; revising priority of Florida Virtual Schools; amending s. 1003.42, F.S.; providing for a character development program that incorporates the values of the Congressional Medal of Honor; amending s. 1012.55, F.S.; requiring the State Board of Education to issue a temporary certificate in educational leadership to certain persons; revising certain exemptions from requirements for teacher certification for certain individuals; amending s. 1012.56, F.S.; requiring the State Board of Education to adopt certain rules; amending s. 1012.59, F.S.; requiring the State Board of Education to waive certain fees; providing an effective date.

—a companion measure, was substituted for **CS for SB 1884** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 29** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1804—A bill to be entitled An act relating to school district accountability; amending s. 11.45, F.S.; revising the duties of the Auditor General; amending s. 112.313, F.S.; prohibiting former appointed district school superintendents from conducting certain lobbying activities; amending s. 112.31455, F.S.; requiring the governing body of a district school board to be notified if an officer or employee of the body owes a certain fine; requiring the governing body of a district school board to take specified actions under such circumstances; amending s. 1001.20, F.S.; requiring the Office of Inspector General of the Department of Education to investigate certain allegations and reports made by specified individuals; amending s. 1001.39, F.S.; requiring certain district school board member travel outside of the school

district to be preapproved and meet certain criteria; providing requirements for a school board member's request for travel outside of the state; providing an opportunity for the public to speak on such travel; amending s. 1001.395, F.S.; providing that certain requirements for the salaries of district school board members apply every fiscal year, rather than one specific fiscal year; amending s. 1001.42, F.S.; providing that the standards of ethical conduct apply to administrative personnel and school officers; authorizing district school board members to request and receive specified budget information; requiring employment of internal auditors in certain school districts; revising provisions relating to the scope of such internal auditors; amending s. 1010.20, F.S.; requiring each school district to report certain expenditures to the Department of Education; providing department responsibilities; amending s. 1010.30, F.S.; requiring certain entities to conduct an audit overview under certain circumstances; providing the contents of the overview; amending ss. 1011.01 and 1011.03, F.S.; conforming provisions and cross-references to changes made by the act; amending s. 1011.035, F.S.; requiring each district school board to post on its website certain graphical representations and a link to a certain web-based tool on the department's website; providing requirements for such graphical representations; amending s. 1011.051, F.S.; requiring a district school board to limit certain expenditures by a specified amount if certain financial conditions exist for a specified period of time; requiring the department to contract with a third party to conduct an investigation under certain circumstances; providing requirements for such investigation; requiring the results of such investigation to include certain information and be provided to certain entities; amending s. 1011.06, F.S.; requiring each district school board to approve certain expenditures by amending its budget and provide a public explanation for such budget amendments; amending s. 1011.09, F.S.; providing certain expenditure limitations for a school district that meets specified criteria; amending s. 1011.10, F.S.; requiring certain school districts to withhold certain district school board member and district school superintendent salaries until certain conditions are met; amending s. 1011.60, F.S.; conforming cross-references; repealing s. 1011.64, F.S., relating to school district minimum classroom expenditure requirements; amending s. 1012.23, F.S.; prohibiting a district school superintendent and district school board from appointing or employing certain individuals in certain positions; providing an exception; requiring the Commission on Ethics to investigate alleged violations; amending s. 1002.395, F.S.; conforming a cross-reference; providing an appropriation; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1804**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 1279** was withdrawn from the Committees on Education; and Appropriations.

On motion by Senator Stargel—

CS for CS for CS for HB 1279—A bill to be entitled An act relating to school district accountability; amending s. 11.45, F.S.; revising the duties of the Auditor General; amending s. 112.313, F.S.; prohibiting former appointed district school superintendents from conducting certain lobbying activities; amending s. 112.31455, F.S.; requiring the governing body of a district school board to be notified if an officer or employee of the body owes a certain fine; requiring the governing body of a district school board to take specified actions under such circumstances; amending s. 1001.20, F.S.; requiring the Office of Inspector General to investigate certain allegations and reports made by specified individuals; amending s. 1001.39, F.S.; requiring certain district school board member travel outside of the school district to be preapproved and meet certain criteria; providing requirements for a school board member's request for travel outside of the state; providing an opportunity for the public to speak on such travel; amending s. 1001.395, F.S.; providing that certain requirements for the salaries of district school board members apply every fiscal year, rather than one specific fiscal year; amending s. 1001.42, F.S.; providing that the standards of ethical conduct apply to administrative personnel and school officers; authorizing district school board members to request and receive specified budget information; requiring employment of internal auditors in certain school districts; revising provisions relating to the scope of such internal auditors; amending s. 1010.20, F.S.; requiring each school district to report certain expenditures to the Department of Education; providing department responsibilities; amending s. 1010.30, F.S.; requiring certain entities to provide an audit overview under certain circumstances;

providing the contents of the overview; amending ss. 1011.01 and 1011.03, F.S.; conforming cross-references; amending s. 1011.035, F.S.; requiring each district school board to post on its website certain graphical representations and a link to a certain web-based tool on the department's website; providing requirements for such graphical representations; amending s. 1011.051, F.S.; requiring a district school board to limit certain expenditures by a specified amount if certain financial conditions exist for a specified period of time; requiring the department to contract with a third party to conduct an investigation under certain circumstances; providing requirements for such investigation; requiring the results of such investigation to include certain information and be provided to certain entities; amending s. 1011.06, F.S.; requiring each district school board to approve certain expenditures by amending its budget and provide a public explanation for such budget amendments; amending s. 1011.09, F.S.; providing certain expenditure limitations for a school district that meets specified criteria; amending s. 1011.10, F.S.; requiring certain school districts to withhold certain district school board member and school district superintendent salaries until certain conditions are met; amending s. 1011.60, F.S.; conforming cross-references; repealing s. 1011.64, F.S., relating to school district minimum classroom expenditure requirements; amending s. 1012.23, F.S.; prohibiting a school district superintendent and district school board from appointing or employing certain individuals in certain positions; providing an exception; requiring the Commission on Ethics to investigate alleged violations; amending s. 1002.395, F.S.; conforming a cross-reference; providing a contingent appropriation; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1804** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 1279** was placed on the calendar of Bills on Third Reading.

By Senator Stargel—

HJR 7001—A joint resolution proposing the creation of section 19 of Article VII of the State Constitution to provide that no state tax or fee may be imposed, authorized, or raised by the legislature except through legislation approved by two-thirds of the membership of each house of the legislature and presented to the Governor for approval; providing for applicability; providing definitions; requiring any tax or fee imposed or raised under this section to be contained in a separate bill that contains no other subject.

—was read the second time by title.

Pursuant to Rule 7.1, there being no objection, consideration of the following late-filed amendment was allowed:

Senator Farmer moved the following amendment which failed:

Amendment 1 (751148) (with ballot and title amendments)—Delete lines 22-53 and insert:

SECTION 19. Supermajority vote required to impose, authorize, raise, lower, or eliminate state taxes or fees.—

(a) *SUPERMAJORITY VOTE REQUIRED TO IMPOSE OR AUTHORIZE NEW STATE TAX OR FEE. No new state tax or fee may be imposed or authorized by the legislature except through legislation approved by two-thirds of the membership of each house of the legislature and presented to the Governor for approval pursuant to Article III, Section 8.*

(b) *SUPERMAJORITY VOTE REQUIRED TO RAISE STATE TAXES OR FEES. No state tax or fee may be raised by the legislature except through legislation approved by two-thirds of the membership of each house of the legislature and presented to the Governor for approval pursuant to Article III, Section 8.*

(c) *SUPERMAJORITY VOTE REQUIRED TO LOWER OR ELIMINATE STATE TAXES OR FEES. No state tax or fee may be lowered or eliminated by the legislature except through legislation approved by two-thirds of the membership of each house of the legislature and presented to the Governor for approval pursuant to Article III, Section 8.*

(d) *APPLICABILITY. This section does not authorize the imposition of any state tax or fee otherwise prohibited by this Constitution, and does not apply to any tax or fee imposed by, or authorized to be imposed by, a county, municipality, school board, or special district.*

(e) *DEFINITIONS. As used in this section, the following terms shall have the following meanings:*

(1) *“Fee” means any charge or payment required by law, including any fee for service, fee or cost for licenses, and charge for service.*

(2) *“Lower” means:*

a. *To decrease or authorize a decrease in the rate of a state tax or fee imposed on a percentage or per mill basis;*

b. *To decrease or authorize a decrease in the amount of a state tax or fee imposed on a flat or fixed amount basis; or*

c. *To increase or authorize a new state tax or fee exemption or credit.*

(3) *“Raise” means:*

a. *To increase or authorize an increase in the rate of a state tax or fee imposed on a percentage or per mill basis;*

b. *To increase or authorize an increase in the amount of a state tax or fee imposed on a flat or fixed amount basis; or*

c. *To decrease or eliminate a state tax or fee exemption or credit.*

(f) *SINGLE-SUBJECT. A state tax or fee imposed, authorized, raised, lowered, or eliminated under this section must be contained in a*

And the ballot statement is amended as follows:

Delete lines 60-111 and insert: SUPERMAJORITY VOTE REQUIRED TO IMPOSE, AUTHORIZE, RAISE, LOWER, OR ELIMINATE STATE TAXES OR FEES.—Prohibits the legislature from imposing, authorizing, raising, lowering, or eliminating a state tax or fee except through legislation approved by a two-thirds vote of each house of the legislature in a bill containing no other subject. This proposal does not authorize a state tax or fee otherwise prohibited by the Constitution and does not apply to fees or taxes imposed or authorized to be imposed by a county, municipality, school board, or special district.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot if a court declares the preceding statement defective and the decision of the court is not reversed:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTION 19

SUPERMAJORITY VOTE REQUIRED TO IMPOSE, AUTHORIZE, RAISE, LOWER, OR ELIMINATE STATE TAXES OR FEES.—Proposing the following amendment to the State Constitution:

ARTICLE VII

FINANCE AND TAXATION

SECTION 19. Supermajority vote required to impose, authorize, raise, lower, or eliminate state taxes or fees.—

(a) SUPERMAJORITY VOTE REQUIRED TO IMPOSE OR AUTHORIZE NEW STATE TAX OR FEE. No new state tax or fee may be imposed or authorized by the legislature except through legislation approved by two-thirds of the membership of each house of the legislature and presented to the Governor for approval pursuant to Article III, Section 8.

(b) SUPERMAJORITY VOTE REQUIRED TO RAISE STATE TAXES OR FEES. No state tax or fee may be raised by the legislature except through legislation approved by two-thirds of the membership of each house of the legislature and presented to the Governor for approval pursuant to Article III, Section 8.

(c) SUPERMAJORITY VOTE REQUIRED TO LOWER OR ELIMINATE STATE TAXES OR FEES. No state tax or fee may be lowered or

eliminated by the legislature except through legislation approved by two-thirds of the membership of each house of the legislature and presented to the Governor for approval pursuant to Article III, Section 8.

(d) **APPLICABILITY.** This section does not authorize the imposition of any state tax or fee otherwise prohibited by this Constitution, and does not apply to any tax or fee imposed by, or authorized to be imposed by, a county, municipality, school board, or special district.

(e) **DEFINITIONS.** As used in this section, the following terms shall have the following meanings:

(1) “Fee” means any charge or payment required by law, including any fee for service, fee or cost for licenses, and charge for service.

(2) “Lower” means:

a. To decrease or authorize a decrease in the rate of a state tax or fee imposed on a percentage or per mill basis;

b. To decrease or authorize a decrease in the amount of a state tax or fee imposed on a flat or fixed amount basis; or

c. To increase or authorize a new state tax or fee exemption or credit.

(3) “Raise” means:

a. To increase or authorize an increase in the rate of a state tax or fee imposed on a percentage or per mill basis;

b. To increase or authorize an increase in the amount of a state tax or fee imposed on a flat or fixed amount basis; or

c. To decrease or eliminate a state tax or fee exemption or credit.

(f) **SINGLE-SUBJECT.** A state tax or fee imposed, authorized, raised, lowered, or eliminated under this section must be contained in a

And the title is amended as follows:

Delete lines 5-10 and insert: raised, lowered, or eliminated by the legislature except through legislation approved by two-thirds of the membership of each house of the legislature and presented to the Governor for approval; providing for applicability; providing definitions; requiring any tax or fee imposed, authorized, raised, lowered, or eliminated under this section to be contained

Pursuant to Rule 4.19, **HJR 7001** was placed on the calendar of Bills on Third Reading.

SENATOR BENACQUISTO PRESIDING

On motion by Senator Garcia—

SB 7028—A bill to be entitled An act relating to ratification of Department of Elderly Affairs rules; ratifying a specified rule relating to emergency environmental control for assisted living facilities for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule exceeding the specified thresholds for likely adverse impact or increase in regulatory costs; providing applicability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 7028** was placed on the calendar of Bills on Third Reading.

On motion by Senator Young—

SB 7030—A bill to be entitled An act relating to ratification of Agency for Health Care Administration rules; ratifying a specified rule relating to emergency environmental control for nursing homes for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule exceeding the specified thresholds for likely adverse impact on or increase in regulatory costs; providing applicability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 7030** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 7026**, **SB 7024**, and **SB 1940** was deferred.

On motion by Senator Book—

CS for SB 376—A bill to be entitled An act relating to workers’ compensation benefits for first responders; amending s. 112.1815, F.S.; providing that, under certain circumstances, posttraumatic stress disorder suffered by a first responder is an occupational disease compensable by workers’ compensation benefits; specifying the evidentiary standard for demonstrating such disorder; specifying that benefits do not require a physical injury and are not subject to certain apportionment or limitations; providing a time for notice of injury or death; providing definitions; requiring the Department of Financial Services to adopt certain rules; requiring an employing agency to provide specified mental health training; providing a declaration of important state interest; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 376** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 520—A bill to be entitled An act relating to optometry; amending s. 463.006, F.S.; requiring an applicant for licensure as an optometrist to submit proof to the Department of Health that she or he meets certain requirements; removing a requirement that the department examine an applicant who meets specified requirements for licensure and certification; requiring the Board of Optometry to approve a licensure examination that meets certain requirements; clarifying that the board may offer a practical examination in addition to a written examination under certain circumstances; providing that an applicant must pass the licensure examination within a specified timeframe as a condition of licensure as an optometrist and certification to administer and prescribe ocular pharmaceutical agents; amending s. 463.0057, F.S.; conforming a cross-reference; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 520**, pursuant to Rule 3.11(3), there being no objection, **HB 7059** was withdrawn from the Committees on Health Policy; Appropriations; and Rules.

On motion by Senator Young—

HB 7059—A bill to be entitled An act relating to optometry; amending s. 463.006, F.S.; requiring an applicant for licensure as an optometrist to submit proof to the Department of Health that she or he meets certain requirements; removing a requirement that the department examine an applicant who meets specified requirements for licensure and certification; requiring the Board of Optometry to approve a licensure examination that meets certain requirements; clarifying that the board may offer a practical examination in addition to a written examination under certain circumstances; providing that an applicant must pass the licensure examination within a specified timeframe as a condition of licensure as an optometrist and certification to administer and prescribe ocular pharmaceutical agents; amending s. 463.0057, F.S.; conforming a cross-reference; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 520** and read the second time by title.

Pursuant to Rule 4.19, **HB 7059** was placed on the calendar of Bills on Third Reading.

On motion by Senator Young—

CS for CS for CS for SB 1876—A bill to be entitled An act relating to trauma services; amending ss. 318.14, 318.18, and 318.21, F.S.; re-

quiring that moneys received from specified penalties be allocated to certain trauma centers by a calculation that uses the Agency for Health Care Administration's hospital discharge data; amending s. 395.4001, F.S.; defining and redefining terms; conforming a cross-reference; amending s. 395.402, F.S.; revising legislative intent; revising the trauma service areas and provisions relating to the number and location of trauma centers; prohibiting the Department of Health from designating an existing Level II trauma center as a new pediatric trauma center or from designating an existing Level II trauma center as a Level I trauma center in a trauma service area that already has an existing Level I or pediatric trauma center; apportioning trauma centers within each trauma service area; requiring the department to establish the Florida Trauma System Advisory Council by a specified date; authorizing the council to submit certain recommendations to the department; providing for the membership of the council; requiring the council to meet no later than a specified date and to meet at least quarterly; amending s. 395.4025, F.S.; conforming provisions to changes made by the act; requiring the department to periodically prepare an analysis of the state trauma system using the agency's hospital discharge data and specified population data; specifying contents of the report; requiring the department to make available all data, formulas, methodologies, calculations, and risk adjustment tools used in preparing the data in the report; requiring the department to notify each acute care general hospital and local and regional trauma agency in a trauma service area that has an identified need for an additional trauma center that the department is accepting letters of intent; prohibiting the department from accepting a letter of intent and from approving an application for a trauma center if there is not statutory capacity for an additional trauma center; revising the department's review process for hospitals seeking designation as a trauma center; authorizing the department to approve certain applications for designation as a trauma center if specified requirements are met; providing that a hospital applicant that meets such requirements must be ready to operate in compliance with specified trauma standards by a specified date; deleting a provision authorizing the department to grant a hospital applicant an extension of time to meet certain standards and requirements; requiring the department to select one or more hospitals for approval to prepare to operate as a trauma center; providing selection requirements; prohibiting an applicant from operating as a provisional trauma center until the department has completed its review process and approved the application; requiring a specified review team to make onsite visits to newly operational trauma centers within a certain timeframe; requiring the department, based on recommendations from the review team, to designate a trauma center that is in compliance with specified requirements; deleting the date by which the department must select trauma centers; providing that only certain hospitals may protest a decision made by the department; providing that certain trauma centers that were verified by the department or determined by the department to be in substantial compliance with specified standards before specified dates are deemed to have met application and operational requirements; requiring the department to designate a certain provisionally approved Level II trauma center as a trauma center if certain criteria are met; prohibiting such designated trauma center from being required to cease trauma operations unless the department or a court determines that it has failed to meet certain standards; providing construction; amending ss. 395.403 and 395.4036, F.S.; conforming provisions to changes made by the act; amending s. 395.404, F.S.; requiring trauma centers to participate in the National Trauma Data Bank; requiring trauma centers and acute care hospitals to report trauma patient transfer and outcome data to the department; deleting provisions relating to the department review of trauma registry data; amending ss. 395.401, 408.036, and 409.975, F.S.; conforming cross-references; requiring the department to work with the Office of Program Policy Analysis and Government Accountability to study the department's licensure requirements, rules, regulations, standards, and guidelines for pediatric trauma services and compare them to those of the American College of Surgeons; requiring the office to submit a report of the findings of the study to the Governor, Legislature, and advisory council by a specified date; providing for the expiration of provisions relating to the study; providing for invalidity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 1876** was placed on the calendar of Bills on Third Reading.

On motion by Senator Grimsley—

CS for CS for SB 622—A bill to be entitled An act relating to health care facility regulation; creating s. 154.13, F.S.; providing that a designated facility owned or operated by a public health trust and located within the boundaries of a municipality is under the exclusive jurisdiction of the county creating the public health trust; amending ss. 381.0031, 381.004, 384.31, 395.009, 400.0625, and 409.905, F.S.; eliminating state licensure requirements for clinical laboratories; requiring clinical laboratories to be federally certified; amending s. 381.915, F.S.; increasing the number of years that a cancer center may participate in Tier 3 of the Florida Consortium of National Cancer Institute Centers Program; increasing the number of years after qualification that a certain Tier 3 cancer center may pursue specified NCI designations; amending s. 383.313, F.S.; requiring a birth center to be federally certified and meet specified requirements to perform certain laboratory tests; repealing s. 383.335, F.S., relating to partial exemptions from licensure requirements for certain facilities that provide obstetrical and gynecological surgical services; amending s. 395.002, F.S.; revising and deleting definitions to remove the term “mobile surgical facility”; conforming a cross-reference; creating s. 395.0091, F.S.; requiring the Agency for Health Care Administration, in consultation with the Board of Clinical Laboratory Personnel, to adopt rules establishing criteria for alternate-site laboratory testing; requiring specifications to be included in the criteria; defining the term “alternate-site testing”; amending ss. 395.0161 and 395.0163, F.S.; deleting licensure and inspection requirements for mobile surgical facilities to conform to changes made by the act; amending s. 395.0197, F.S.; requiring the manager of a hospital or ambulatory surgical center internal risk management program to demonstrate competence in specified administrative and health care service areas; conforming provisions to changes made by the act; repealing s. 395.1046, F.S., relating to hospital complaint investigation procedures; amending s. 395.1055, F.S.; requiring hospitals that provide specified services to meet agency licensure requirements; providing standards to be included in licensure requirements; conforming a provision to changes made by the act; requiring a level 2 background screening for personnel of distinct part nursing units; requiring the agency to adopt rules establishing standards for pediatric cardiac catheterization and pediatric cardiovascular surgery programs located in licensed hospitals; providing requirements for such programs; establishing minimum standards for rules for such pediatric cardiac programs; requiring hospitals with pediatric cardiac programs to participate in the clinical outcome reporting systems; revising duties and membership of the pediatric cardiac technical advisory panel; repealing ss. 395.10971 and 395.10972, F.S., relating to the purpose and the establishment of the Health Care Risk Manager Advisory Council, respectively; amending s. 395.10973, F.S.; removing requirements relating to agency standards for health care risk managers to conform provisions to changes made by the act; repealing s. 395.10974, F.S., relating to licensure of health care risk managers, qualifications, licensure, and fees; repealing s. 395.10975, F.S., relating to grounds for denial, suspension, or revocation of a health care risk manager's license and an administrative fine; amending s. 395.602, F.S.; deleting definitions for the terms “emergency care hospital,” “essential access community hospital,” “inactive rural hospital bed,” and “rural primary care hospital”; amending s. 395.603, F.S.; deleting provisions relating to deactivation of general hospital beds by certain rural and emergency care hospitals; repealing s. 395.604, F.S., relating to other rural hospital programs; repealing s. 395.605, F.S., relating to emergency care hospitals; amending s. 395.701, F.S.; revising the definition of the term “hospital” to exclude hospitals operated by a state agency; amending s. 400.191, F.S.; removing the 30-month reporting timeframe for the Nursing Home Guide; amending s. 400.464, F.S.; requiring that a license issued to a home health agency on or after a specified date specify the services the organization is authorized to perform and whether the services constitute skilled care; providing that the provision or advertising of certain services constitutes unlicensed activity under certain circumstances; authorizing certain persons, entities or organizations providing home health services to voluntarily apply for a certificate of exemption from licensure by providing certain information to the agency; providing that the certificate is valid for a specified time and is nontransferable; authorizing the agency to charge a fee for the certificate; amending s. 400.471, F.S.; revising home health agency licensure requirements; providing requirements for proof of accreditation for home health agencies applying for change of ownership or the addition of skilled care services; removing a provision prohibiting the agency from issuing a license to a home health agency that fails to satisfy the

requirements of a Medicare certification survey from the agency; amending s. 400.474, F.S.; revising conditions for the imposition of a fine against a home health agency; amending s. 400.476, F.S.; requiring a home health agency providing skilled nursing care to have a director of nursing; amending s. 400.484, F.S.; imposing administrative fines on home health agencies for specified classes of violations; amending s. 400.497, F.S.; requiring the agency to adopt, publish, and enforce rules establishing standards for certificates of exemption; amending s. 400.506, F.S.; specifying a criminal penalty for any person who owns, operates, or maintains an unlicensed nurse registry that fails to cease operation immediately and apply for a license after notification from the agency; revising provisions authorizing the agency to impose a fine on a nurse registry that fails to cease operation after agency notification; revising circumstances under which the agency is authorized to deny, suspend, or revoke a license or impose a fine on a nurse registry; prohibiting a nurse registry from monitoring, supervising, managing, or training a certain caregiver who is an independent contractor; amending s. 400.606, F.S.; removing a requirement that an existing licensed health care provider's hospice licensure application be accompanied by a copy of the most recent profit-loss statement and licensure inspection report; amending s. 400.925, F.S.; revising the definition of the term "home medical equipment"; amending s. 400.931, F.S.; requiring a home medical equipment provider to notify the agency of certain personnel changes within a specified timeframe; amending s. 400.933, F.S.; requiring the agency to accept the submission of a valid medical oxygen retail establishment permit issued by the Department of Business and Professional Regulation in lieu of an agency inspection for licensure; amending s. 400.980, F.S.; revising the timeframe within which a health care services pool registrant must provide the agency with certain changes of information; amending s. 400.9935, F.S.; specifying that a voluntary certificate of exemption may be valid for up to 2 years; amending s. 408.036, F.S.; conforming provisions to changes made by the act; deleting obsolete provisions relating to certificate of need requirements for specified services; amending s. 408.0361, F.S.; providing an exception for a hospital to become a Level I Adult Cardiovascular provider if certain requirements are met; amending s. 408.05, F.S.; requiring the agency to contract with the Society of Thoracic Surgeons and the American College of Cardiology for the collection of certain data for publication on the agency's website for certain purposes; amending s. 408.061, F.S.; excluding hospitals operated by state agencies from certain financial reporting requirements; conforming a cross-reference; amending s. 408.07, F.S.; deleting the definition for the term "clinical laboratory"; amending s. 408.20, F.S.; exempting hospitals operated by any state agency from assessments against the Health Care Trust Fund to fund certain agency activities; repealing s. 408.7056, F.S., relating to the Subscriber Assistance Program; amending s. 408.803, F.S.; defining the term "relative" for purposes of the Health Care Licensing Procedures Act; amending s. 408.806, F.S.; authorizing licensees who hold licenses for multiple providers to request that the agency align related license expiration dates; authorizing the agency to issue licenses for an abbreviated licensure period and to charge a prorated licensure fee; amending s. 408.809, F.S.; expanding the scope of persons subject to a level 2 background screening to include any employee of a licensee who is a controlling interest and certain part-time contractors; amending s. 408.810, F.S.; providing that an applicant for change of ownership licensure is exempt from furnishing proof of financial ability to operate if certain conditions are met; authorizing the agency to adopt rules governing circumstances under which a controlling interest may act in certain legal capacities on behalf of a patient or client; requiring a licensee to ensure that certain persons do not hold an ownership interest if the licensee is not organized as or owned by a publicly traded corporation; defining the term "publicly traded corporation"; amending s. 408.812, F.S.; providing that certain unlicensed activity by a provider constitutes abuse and neglect; clarifying that the agency may impose a fine or penalty, as prescribed in an authorizing statute, if an unlicensed provider who has received notification fails to cease operation; authorizing the agency to revoke all licenses and impose a fine or penalties upon a controlling interest or licensee who has an interest in more than one provider and who fails to license a provider rendering services that require licensure in certain circumstances; amending s. 408.820, F.S.; deleting certain exemptions from part II of ch. 408, F.S., for specified providers to conform provisions to changes made by the act; amending s. 409.907, F.S.; removing the agency's authority to consider certain factors in determining whether to enter into, and in maintaining, a Medicaid provider agreement; amending s. 429.02, F.S.; revising definitions of the terms "assisted living facility" and "personal services"; amending s. 429.04, F.S.; providing additional exemptions from licensure as an

assisted living facility; requiring a person or entity asserting the exemption to provide documentation that substantiates the claim upon agency investigation of unlicensed activity; amending s. 429.08, F.S.; providing criminal penalties and fines for a person who rents or otherwise maintains a building or property used as an unlicensed assisted living facility; providing criminal penalties and fines for a person who owns, operates, or maintains an unlicensed assisted living facility after receiving notice from the agency; amending s. 429.176, F.S.; prohibiting an assisted living facility from operating for more than a specified time without an administrator who has completed certain educational requirements; amending s. 429.24, F.S.; providing that 30-day written notice of rate increase for residency in an assisted living facility is not required in certain situations; amending s. 429.28, F.S.; revising the assisted living facility resident bill of rights to include assistance with obtaining access to adequate and appropriate health care; defining the term "adequate and appropriate health care"; deleting a requirement that the agency conduct at least one monitoring visit under certain circumstances; deleting provisions authorizing the agency to conduct periodic followup inspections and complaint investigations under certain circumstances; amending s. 429.294, F.S.; deleting the specified timeframe within which an assisted living facility must provide complete copies of a resident's records in an investigation of resident's rights; amending s. 429.34, F.S.; authorizing the agency to inspect and investigate assisted living facilities as necessary to determine compliance with certain laws; removing a provision requiring the agency to inspect each licensed assisted living facility at least biennially; authorizing the agency to conduct monitoring visits of each facility cited for prior violations under certain circumstances; amending s. 429.52, F.S.; requiring an assisted living facility administrator to complete required training and education within a specified timeframe; amending s. 435.04, F.S.; providing that security background investigations must ensure that a person has not been arrested for, and is not awaiting final disposition of, certain offenses; requiring that security background investigations for purposes of participation in the Medicaid program screen for violations of federal or state law, rule, or regulation governing any state Medicaid program, the Medicare program, or any other publicly funded federal or state health care or health insurance program; specifying offenses under federal law or any state law that the security background investigations must screen for; amending s. 456.054, F.S.; prohibiting any person or entity from paying or receiving a kickback for referring patients to a clinical laboratory; prohibiting a clinical laboratory from providing personnel to perform certain functions or duties in a health care practitioner's office or dialysis facility; providing an exception; prohibiting a clinical laboratory from leasing space in any part of a health care practitioner's office or dialysis facility; repealing part I of ch. 483, F.S., relating to clinical laboratories; amending s. 483.294, F.S.; removing a requirement that the agency inspect multiphasic health testing centers at least once annually; amending s. 483.801, F.S.; providing an exemption from regulation for certain persons employed by certain laboratories; amending s. 483.803, F.S.; revising definitions of the terms "clinical laboratory" and "clinical laboratory examination"; removing a cross-reference; amending s. 641.511, F.S.; revising health maintenance organization subscriber grievance reporting requirements; repealing s. 641.60, F.S., relating to the Statewide Managed Care Ombudsman Committee; repealing s. 641.65, F.S., relating to district managed care ombudsman committees; repealing s. 641.67, F.S., relating to a district managed care ombudsman committee, exemption from public records requirements, and exceptions; repealing s. 641.68, F.S., relating to a district managed care ombudsman committee and exemption from public meeting requirements; repealing s. 641.70, F.S., relating to agency duties relating to the Statewide Managed Care Ombudsman Committee and the district managed care ombudsman committees; repealing s. 641.75, F.S., relating to immunity from liability and limitation on testimony; amending s. 945.36, F.S.; authorizing law enforcement personnel to conduct drug tests on certain inmates and releasees; amending ss. 20.43, 220.1845, 376.30781, 376.86, 381.0034, 381.0405, 383.14, 383.30, 383.301, 383.302, 383.305, 383.309, 383.33, 385.211, 394.4787, 395.001, 395.003, 395.7015, 400.9905, 408.033, 408.802, 409.9116, 409.975, 429.19, 456.001, 456.057, 456.076, 458.307, 458.345, 459.021, 483.813, 483.823, 491.003, 627.351, 627.602, 627.6406, 627.64194, 627.6513, 627.6574, 641.185, 641.31, 641.312, 641.3154, 641.51, 641.515, 641.55, 766.118, 766.202, 1009.65, and 1011.52, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1, there being no objection, consideration of the following late-filed amendments was allowed:

Senator Bean moved the following amendment:

Amendment 1 (417856) (with title amendment)—Delete lines 1100-1110 and insert:

(a) *Have a pediatric cardiology clinic affiliated with a hospital licensed under this chapter.*

(b) *Have a collocated pediatric cardiac catheterization laboratory and a pediatric cardiovascular surgical program.*

(c) *Have a risk adjustment surgical procedure protocol following the guidelines established by the Society of Thoracic Surgeons.*

(d) *Have quality assurance and quality improvement processes in place to enhance clinical operation and patient satisfaction with services.*

(e) *Participate in the clinical outcome reporting systems*

And the title is amended as follows:

Delete lines 52-56 and insert: programs; providing requirements for such programs; requiring pediatric cardiac programs to participate in the clinical outcome

Senator Bean moved the following substitute amendment which was adopted:

Amendment 2 (292896) (with title amendment)—Delete lines 1100-1110 and insert:

(a) *Have a pediatric cardiology clinic affiliated with a hospital licensed under this chapter.*

(b) *Have a pediatric cardiac catheterization laboratory and a pediatric cardiovascular surgical program located in the hospital.*

(c) *Have a risk adjustment surgical procedure protocol following the guidelines established by the Society of Thoracic Surgeons.*

(d) *Have quality assurance and quality improvement processes in place to enhance clinical operation and patient satisfaction with services.*

(e) *Participate in the clinical outcome reporting systems*

And the title is amended as follows:

Delete lines 52-56 and insert: programs; providing requirements for such programs; requiring pediatric cardiac programs to participate in the clinical outcome

Pursuant to Rule 4.19, **CS for CS for SB 622**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Bradley—

CS for CS for CS for SB 920—A bill to be entitled An act relating to deferred presentment transactions; amending s. 560.402, F.S.; providing and revising definitions; amending s. 560.404, F.S.; specifying the maximum face amount of checks that may be taken for deferred presentment installment transactions, exclusive of fees; specifying the maximum rate and frequency of fees that deferred presentment providers or their affiliates may charge on deferred presentment installment transactions; specifying when fees are earned for certain deferred presentment transactions; specifying the calculation of fees earned for deferred presentment installment transactions; prohibiting prepayment penalties; specifying the minimum and maximum terms of a deferred presentment installment transaction; specifying dates that checks must bear; authorizing providers of deferred presentment installment transactions to accept additional checks subject to certain limitations; requiring the deferred presentment agreement to include the deferment period applicable to each check; correcting a reference to federal law; providing an exception to a prohibition against the accep-

tance or holding of undated checks or checks with certain dates by a deferred presentment provider or its affiliate; conforming a cross-reference; providing a verification process that may be relied upon under certain conditions; revising a notice in deferred presentment agreements; authorizing a drawer to inform a provider in writing that the drawer cannot redeem or pay in full the amount due and owing to the provider; providing an exception to a prohibition, under certain circumstances, against a deferred presentment provider's deposit or presentment of a drawer's check; requiring a provider of a deferred presentment installment transaction to allow a drawer to defer one scheduled payment under certain circumstances; providing requirements for the deferred payment; specifying the frequency a certain fee may be imposed by Financial Services Commission rule for data on certain transactions submitted by deferred presentment providers to a certain database; providing an exception to a limitation on a deferred presentment provider's acceptance of a certain check or authorization; specifying requirements for amortization, installment repayments, and the calculation of charges for deferred presentment installment transactions; conforming provisions to changes made by the act; amending s. 560.405, F.S.; providing an exception to a prohibition against a deferred presentment provider's or its affiliate's presentment of a drawer's check before the end of the deferment period; revising a condition under which a deferred presentment provider may allow the check to be redeemed in lieu of presentment; revising a prohibition against requiring a drawer to redeem his or her check before the agreed-upon date; reenacting s. 560.111(5), F.S., relating to prohibited acts, to incorporate the amendments made to ss. 560.404 and 560.405, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1, there being no objection, consideration of the following late-filed amendment was allowed:

Senator Bradley moved the following amendment which was adopted:

Amendment 1 (864952)—Delete lines 135-393 and insert: requirements of 12 C.F.R. part 1026 ~~226~~, relating to the federal Truth-in-Lending Act, and Regulation Z of the *Bureau of Consumer Financial Protection Board of Governors of the Federal Reserve Board*. A copy of the disclosure must be provided to the drawer at the time the deferred presentment transaction is initiated.

(14) A deferred presentment provider or its affiliate may not accept or hold an undated check or a check dated on a date other than the date on which the deferred presentment provider agreed to hold the check and signed the deferred presentment transaction agreement, *except when a customer provides a new payment instrument reflecting the new outstanding transaction balance and anticipated fees upon making a payment on a deferred presentment installment transaction.*

(19) A deferred presentment provider may not enter into a deferred presentment transaction with a drawer who has an outstanding deferred presentment transaction with that provider or with any other deferred presentment provider, or with a person whose previous deferred presentment transaction with that provider or with any other provider has been terminated for less than 24 hours. The deferred presentment provider must verify such information as follows:

(a) The deferred presentment provider *must shall* maintain a common database and *shall* verify whether the provider or an affiliate has an outstanding deferred presentment transaction with a particular person or has terminated a transaction with that person within the previous 24 hours. *If a provider has not established a database, the provider may rely upon the written verification of the drawer as provided in subsection (20).*

(b) The deferred presentment provider *must shall* access the office's database established pursuant to subsection (24) ~~(23)~~ and *shall* verify whether any other deferred presentment provider has an outstanding deferred presentment transaction with a particular person or has terminated a transaction with that person within the previous 24 hours. *Before the office has implemented a database to include deferred presentment installment transactions if a provider has not established a*

~~database~~, the deferred presentment provider *must access the office's current database pursuant to this paragraph and may rely upon the written verification of the drawer as provided in subsection (20).*

(20) A deferred presentment provider ~~shall~~ provide the following notice in a prominent place on each deferred presentment agreement in at least 14-point type in substantially the following form and ~~must~~ obtain the signature of the drawer where indicated:

NOTICE

1. STATE LAW PROHIBITS YOU FROM HAVING MORE THAN ONE DEFERRED PRESENTMENT AGREEMENT AT ANY ONE TIME. STATE LAW ALSO PROHIBITS YOU FROM ENTERING INTO A DEFERRED PRESENTMENT AGREEMENT WITHIN 24 HOURS AFTER TERMINATING ANY PREVIOUS DEFERRED PRESENTMENT AGREEMENT. FAILURE TO OBEY THIS LAW COULD CREATE SEVERE FINANCIAL HARDSHIP FOR YOU AND YOUR FAMILY.

YOU MUST SIGN THE FOLLOWING STATEMENT:

I DO NOT HAVE AN OUTSTANDING DEFERRED PRESENTMENT AGREEMENT WITH ANY DEFERRED PRESENTMENT PROVIDER AT THIS TIME. I HAVE NOT TERMINATED A DEFERRED PRESENTMENT AGREEMENT WITHIN THE PAST 24 HOURS.

(Signature of Drawer)

2. YOU CANNOT BE PROSECUTED IN CRIMINAL COURT FOR A CHECK WRITTEN UNDER THIS AGREEMENT, BUT ALL LEGALLY AVAILABLE CIVIL MEANS TO ENFORCE THE DEBT MAY BE PURSUED AGAINST YOU.

3. STATE LAW PROHIBITS A DEFERRED PRESENTMENT PROVIDER (THIS BUSINESS) FROM ALLOWING YOU TO "ROLL OVER" YOUR DEFERRED PRESENTMENT TRANSACTION. THIS MEANS THAT YOU CANNOT BE ASKED OR REQUIRED TO PAY AN ADDITIONAL FEE IN ORDER TO FURTHER DELAY THE DEPOSIT OR PRESENTMENT OF YOUR CHECK FOR PAYMENT.

4. *FOR DEFERRED PRESENTMENT TRANSACTIONS NOT REPAYABLE IN INSTALLMENTS:* IF YOU INFORM THE PROVIDER IN PERSON THAT YOU CANNOT COVER THE CHECK OR PAY IN FULL THE AMOUNT OWING AT THE END OF THE TERM OF THIS AGREEMENT, YOU WILL RECEIVE A GRACE PERIOD EXTENDING THE TERM OF THE AGREEMENT FOR AN ADDITIONAL 60 DAYS AFTER THE ORIGINAL TERMINATION DATE, WITHOUT ANY ADDITIONAL CHARGE. THE DEFERRED PRESENTMENT PROVIDER ~~MUST SHALL~~ REQUIRE THAT YOU, AS A CONDITION OF OBTAINING THE GRACE PERIOD, COMPLETE CONSUMER CREDIT COUNSELING PROVIDED BY AN AGENCY INCLUDED ON THE LIST THAT WILL BE PROVIDED TO YOU BY THIS PROVIDER. YOU MAY ALSO AGREE TO COMPLY WITH AND ADHERE TO A REPAYMENT PLAN APPROVED BY THAT AGENCY. IF YOU DO NOT COMPLY WITH AND ADHERE TO A REPAYMENT PLAN APPROVED BY THAT AGENCY, WE MAY DEPOSIT OR PRESENT YOUR CHECK FOR PAYMENT AND PURSUE ALL LEGALLY AVAILABLE CIVIL MEANS TO ENFORCE THE DEBT AT THE END OF THE 60-DAY GRACE PERIOD.

5. *FOR DEFERRED PRESENTMENT INSTALLMENT TRANSACTIONS:* IF YOU INFORM THE PROVIDER IN WRITING OR IN PERSON BY NOON [TIME ZONE] OF THE BUSINESS DAY BEFORE A SCHEDULED PAYMENT THAT YOU CANNOT PAY IN FULL THE SCHEDULED AMOUNT DUE AND OWING, YOU MAY DEFER THE SCHEDULED PAYMENT, WITHOUT ANY ADDITIONAL FEES OR CHARGES, AND THE PROVIDER MAY NOT DEFAULT THE ACCOUNT AND ACCELERATE THE FULL BALANCE. YOU MAY REQUEST ONLY ONE DEFERRED PAYMENT PER LOAN. THE DEFERRED PAYMENT WILL BE ADDED AFTER THE LAST SCHEDULED PAYMENT AND IS DUE AT AN INTERVAL NO SHORTER

THAN THE INTERVALS BETWEEN THE ORIGINALLY SCHEDULED PAYMENTS.

(21) The deferred presentment provider may not deposit or present the drawer's check if the drawer informs the provider *in writing* or in person that the drawer cannot redeem or pay in full in cash the amount due and owing the deferred presentment provider, *unless the drawer fails to comply with subsection (22) or subsection (23), as applicable.* No additional fees or penalties may be imposed on the drawer by virtue of any misrepresentation made by the drawer as to the sufficiency of funds in the drawer's account. Additional fees may not be added to the amounts due and owing to the deferred presentment provider.

(22) *For deferred presentment transactions not repayable in installments,* if, by the end of the deferment period, the drawer informs the deferred presentment provider *in writing* or in person that the drawer cannot redeem or pay in full in cash the amount due and owing the deferred presentment provider, the deferred presentment provider ~~must shall~~ provide a grace period extending the term of the agreement for an additional 60 days after the original termination date, without any additional charge.

(a) The provider ~~must shall~~ require, ~~that~~ as a condition of providing a grace period, that the drawer make an appointment with a consumer credit counseling agency within 7 days after the end of the deferment period and complete the counseling by the end of the grace period. The drawer may agree to, comply with, and adhere to a repayment plan approved by the counseling agency. If the drawer agrees to comply with and adhere to a repayment plan approved by the counseling agency, the provider must also comply with and adhere to that repayment plan. The deferred presentment provider may not deposit or present the drawer's check for payment before the end of the 60-day grace period unless the drawer fails to comply with such conditions or the drawer fails to notify the provider of such compliance. Before each deferred presentment transaction, the provider may verbally advise the drawer of the availability of the grace period consistent with the written notice in subsection (20), and may not discourage the drawer from using the grace period.

(b) At the commencement of the grace period, the deferred presentment provider ~~must shall~~ provide the drawer:

1. Verbal notice of the availability of the grace period consistent with the written notice in subsection (20).

2. A list of approved consumer credit counseling agencies prepared by the office. The office list ~~must shall~~ include nonprofit consumer credit counseling agencies affiliated with the National Foundation for Credit Counseling which provide credit counseling services to state residents in person, by telephone, or through the Internet. The office list must include phone numbers for the agencies, the counties served by the agencies, and indicate the agencies that provide telephone counseling and those that provide Internet counseling. The office ~~must shall~~ update the list at least once each year.

3. The following notice in at least 14-point type in substantially the following form:

AS A CONDITION OF OBTAINING A GRACE PERIOD EXTENDING THE TERM OF YOUR DEFERRED PRESENTMENT AGREEMENT FOR AN ADDITIONAL 60 DAYS, UNTIL [DATE], WITHOUT ANY ADDITIONAL FEES, YOU MUST COMPLETE CONSUMER CREDIT COUNSELING PROVIDED BY AN AGENCY INCLUDED ON THE LIST THAT WILL BE PROVIDED TO YOU BY THIS PROVIDER. YOU MAY ALSO AGREE TO COMPLY WITH AND ADHERE TO A REPAYMENT PLAN APPROVED BY THE AGENCY. THE COUNSELING MAY BE IN PERSON, BY TELEPHONE, OR THROUGH THE INTERNET. YOU MUST NOTIFY US WITHIN 7 DAYS, BY [DATE], THAT YOU HAVE MADE AN APPOINTMENT WITH A CONSUMER CREDIT COUNSELING AGENCY. YOU MUST ALSO NOTIFY US WITHIN 60 DAYS, BY [DATE], THAT YOU HAVE COMPLETED THE CONSUMER CREDIT COUNSELING. WE MAY VERIFY THIS INFORMATION WITH THE AGENCY. IF YOU FAIL TO PROVIDE THE 7-DAY OR 60-DAY NOTICE, OR IF YOU HAVE NOT MADE THE APPOINTMENT OR COMPLETED THE COUNSELING WITHIN THE TIME REQUIRED, WE MAY DEPOSIT OR PRESENT YOUR CHECK FOR PAYMENT AND

PURSUE ALL LEGALLY AVAILABLE CIVIL MEANS TO ENFORCE THE DEBT.

(c) If a drawer completes an approved payment plan, the deferred presentment provider ~~must shall~~ pay one-half of the drawer's fee for the deferred presentment agreement to the consumer credit counseling agency.

(23) *For deferred presentment installment transactions, if a drawer informs the deferred presentment provider in writing or in person by noon of the business day before a scheduled payment that the drawer cannot pay in full the scheduled payment amount due and owing the provider, the deferred presentment provider must provide the drawer the opportunity to defer the scheduled payment, at no additional fee or charge, until after the last scheduled payment. The phrase "by noon" means 12:00 p.m. of the same time zone in which the deferred presentment agreement was entered into. Only one deferred payment is permitted for each deferred presentment installment transaction. The deferred payment must be due at an interval after the last scheduled payment which is no shorter than the intervals between the originally scheduled payments.*

(24)(a)(23) The office ~~must shall~~ implement a common database with real-time access through an Internet connection for deferred presentment providers, as provided in this subsection. The database must be accessible to the office and the deferred presentment providers in order to verify whether any deferred presentment transactions are outstanding for a particular person. Deferred presentment providers ~~must shall~~ submit such data before entering into each deferred presentment transaction in such format as required by rule, including the drawer's name, social security number or employment authorization alien number, address, driver license number, amount of the transaction, date of transaction, the date that the transaction is closed, and such additional information as is required by rule.

(b) *For data that must be submitted by a deferred presentment provider, the commission may by rule impose a fee of up to \$1 per transaction for deferred presentment transactions not repayable in installments, and the commission may impose a fee of up to \$1 for each full or partial 30-day period that a balance is scheduled to be outstanding for a deferred presentment installment transaction for data that must be submitted by a deferred presentment provider.*

(c) A deferred presentment provider may rely on the information contained in the database as accurate and is not subject to any administrative penalty or civil liability due to relying on inaccurate information contained in the database.

(d) A deferred presentment provider must notify the office, in a manner as prescribed by rule, within 15 business days after ceasing operations or no longer holding a license under part II or part III of this chapter. Such notification must include a reconciliation of all open transactions. If the provider fails to provide notice, the office ~~must shall~~ take action to administratively release all open and pending transactions in the database after the office becomes aware of the closure.

(e) This section does not affect the rights of the provider to enforce the contractual provisions of the deferred presentment agreements through any civil action allowed by law.

(f) The commission may adopt rules to administer this subsection and to ensure that the database is used by deferred presentment providers in accordance with this section.

(25)(24) A deferred presentment provider may not accept more than one check or authorization to initiate more than one automated clearinghouse transaction to collect on a deferred presentment transaction for a single deferred presentment transaction, *except for deferred presentment installment transactions in which such checks or authorizations represent multiple scheduled payments.*

(26) *A deferred presentment installment transaction must be fully amortizing and repayable in consecutive installments as nearly equal as mathematically practicable according to a payment schedule agreed upon by the parties with no fewer than 13 days and not more than 1 calendar month between payments, except that the first installment period may be longer than the remaining installment periods by not more than 15 days, and the first installment payment may be larger than*

the remaining installment payments by the amount of charges applicable to the extra days. In calculating charges under this subsection, when the first installment period is longer than the remaining installment periods, the

Pursuant to Rule 4.19, **CS for CS for CS for SB 920**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Passidomo—

CS for CS for CS for SB 616—A bill to be entitled An act relating to motor vehicle dealers; amending s. 320.27, F.S.; revising the definitions of the terms "motor vehicle dealer," "franchised motor vehicle dealer," "independent motor vehicle dealer," and "wholesale motor vehicle dealer"; deleting the definition of "motor vehicle broker"; adding an exception to the prohibition against persons other than licensed motor vehicle dealers from advertising for sale or lease any motor vehicle belonging to another party; authorizing owners of motor vehicles titled in their names to advertise and offer motor vehicles for sale on their own behalf, provided such vehicles are acquired and sold in good faith and not for the purpose of avoiding specified requirements; prohibiting a licensed motor vehicle dealer from allowing any person other than its bona fide employee to use its motor vehicle dealer license for the purpose of acting in the capacity of or conducting motor vehicle lease transactions as a motor vehicle dealer; providing that any person acting in violation of specified licensing requirements or misrepresenting to any person his or her relationship with any motor vehicle dealer is deemed to have committed an unfair and deceptive trade practice in violation of specified provisions; requiring, within a specified time-frame, the Department of Highway Safety and Motor Vehicles to deliver or mail to each licensee the necessary renewal forms along with a statement that the licensee is required to complete any applicable continuing education or industry certification requirements; deleting certain continuing education and certification requirements; requiring any licensee who does not file his or her application and fees and any other requisite documents, as required by law, before the license expiration date to cease engaging in business as a motor vehicle dealer on the license expiration date; requiring applications received by the department for renewal of independent motor vehicle dealer licenses to certify that the dealer has completed continuing education before filing the renewal forms with the department, subject to certain requirements; providing requirements for continuing education and dealer schools; authorizing such schools to charge a fee for providing continuing education; requiring applications received by the department for renewal of franchised motor vehicle dealer licenses to certify that the dealer has completed certain industry certification before filing the renewal forms with the department, subject to certain requirements; providing requirements for industry certification and certain statewide industry associations of franchised motor vehicle dealers; authorizing an association to charge up to a specified fee for providing the industry certification; providing for annual adjustments to the maximum fee, beginning on a specified date; authorizing industry certification for licensees belonging to a dealership group to be accomplished by a certain designated person; defining the term "dealership group"; requiring a licensee who seeks to satisfy the certification through a dealership group to provide the department with certain evidence at the time of filing the certificate of completion; providing an effective date.

—was read the second time by title.

Senator Passidomo moved the following amendment which was adopted:

Amendment 1 (922930) (with title amendment)—Delete line 203 and insert:
motor vehicle dealers licensed by the department. A motor vehicle dealer licensed pursuant to subparagraph (1)(c)1. which, as of July 1, 2018, is wholly owned by a manufacturer licensed pursuant to s. 320.61 and whose dealer license is revoked by a court or administrative order for reasons other than voluntary termination, failure to renew, or disciplinary action may continue to advertise motor vehicles of the line-make for which the dealer was previously licensed, including demonstrating those vehicles to consumers, provided that the sale or lease of such vehicles only occurs through a licensed motor vehicle dealer.

And the title is amended as follows:

Delete line 6 and insert: “wholesale motor vehicle dealer”; providing that certain motor vehicle dealers who have their motor vehicle dealer licenses revoked may continue to advertise and demonstrate motor vehicles under certain circumstances; deleting the

Pursuant to Rule 4.19, **CS for CS for CS for SB 616**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 590** was deferred.

On motion by Senator Book—

CS for SB 1046—A bill to be entitled An act relating to trust funds; creating s. 787.0611, F.S.; creating the Trust Fund for Victims of Human Trafficking and Prevention within the Department of Law Enforcement; providing the funding sources for the trust fund; requiring the department to administer the fund; providing the purpose of the trust fund; authorizing the department to contract with certain entities, subject to availability of funds and appropriations; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1046** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1360**, **CS for SB 1316**, and **SB 1028** was deferred.

On motion by Senator Book—

CS for SB 382—A bill to be entitled An act relating to transportation facility designations; providing honorary designations of certain transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was read the second time by title.

Senator Passidomo moved the following amendment which was adopted:

Amendment 1 (299246)—Delete line 44 and insert:

(11) *That portion of I-75/S.R. 93 (03175000) between mile marker 110 and the Broward County line in Collier County is designated as “Submarine Veterans Memorial Highway.”*

(12) *The Department of Transportation is directed to erect*

Senator Book moved the following amendment:

Amendment 2 (957578)—Delete line 44 and insert:

(11) *The bridge on Peninsula Corp Drive over I-95 in Palm Beach County is designated as “Richard Jason Randolph Memorial Bridge.”*

(12) *That portion of I-75/S.R. 93 (03175000) between mile marker 110 and the Broward County line in Collier County is designated as “Submarine Veterans Memorial Highway.”*

(13) *That portion of S.R. 4 between Munson Highway and S.R. 189 in Santa Rosa and Okaloosa Counties is designated as “Senator Greg Evers Memorial Highway.”*

(14) *That portion of U.S. 90/S.R. 10 between S.R. 285 and N. 9th Street/S.R. 83 N. in Walton County is designated as “Lieutenant Ewart T. Sconiers Highway.”*

(15) *That portion of S.R. 9336/S.W. 344th Street/W. Palm Drive between S.W. 192nd Avenue/Tower Road and S.W. 177th Avenue/S. Krome Avenue in Miami-Dade County is designated as “Steve Mainster Memorial Drive.”*

(16) *Upon completion of construction, the pedestrian bridge over S.R. 390 at Kentucky Avenue and Mowat School Road in Bay County is designated as “Harold Haynes Memorial Pedestrian Bridge.”*

(17) *That portion of S.R. 109/University Boulevard between Clifton Avenue and Fort Caroline Road in Duval County is designated as “Jim Tullis Memorial Boulevard.”*

(18) *That portion of S.R. 46 between International Parkway and S.R. 431/Orange Boulevard in Seminole County is designated as “Dr. R.C. Sproul Way.”*

(19) *That portion of S.R. 190/Valparaiso Parkway between S.R. 85/Government Avenue and S.R. 397/John Sims Parkway in Okaloosa County is designated as “John B. Arnold, Jr., Memorial Highway.”*

(20) *Bridge number 570018 on S.R. 85/Eglin Parkway over Garnier Bayou in Okaloosa County is designated as “Deputies Tony Forgione and Bill Myers Memorial Bridge.”*

(21) *That portion of S.R. 85 between College Boulevard and Colonel Greg Malloy Road in Okaloosa County is designated as “SFC William Kelly Lacey Memorial Highway.”*

(22) *That portion of S.R. 414/Maitland Boulevard between Magnolia Homes Road and S.R. 434/Forest City Road in Seminole County is designated as “Deputy Matt Miller Memorial Boulevard.”*

(23) *That portion of S.R. 464/Maricamp Road between S.E. 25th Avenue and S.E. 24th Street in Marion County is designated as “Nelle W. Needham Memorial Highway.”*

(24) *Bridge numbers 150202 and 150203 on S.R. 580/Main Street in Pinellas County are designated as “Gold Star Family Memorial Bridge, dedicated to U.S. Army CPL Frank R. Gross.”*

(25) *That portion of U.S. 17-92 between Wisconsin Avenue and Saxon Boulevard in Volusia County is designated as “Amos Walter Atchley Memorial Highway.”*

(26) *That portion of S.R. 415 between Acorn Lake Road and Reed Ellis Road in Volusia County is designated as “David G. Ledgerwood Memorial Highway.”*

(27) *That portion of E. 9th Avenue between N. 13th Street and N. 14th Street in Hillsborough County is designated as “Nick Capitano Memorial Road.”*

(28) *That portion of C.R. 574/7th Avenue between N. 20th Street and 22nd Street in Hillsborough County is designated as “Gonzmart Memorial Road.”*

(29) *That portion of S.R. 583/56th Street between S.R. 574/E. Dr. Martin Luther King, Jr., Boulevard and Harney Road in Hillsborough County is designated as “Pepin Memorial Road.”*

(30) *That portion of Port Avenue between McCloskey Boulevard and Shoreline Avenue in Hillsborough County is designated as “Barkett Memorial Road.”*

(31) *That portion of N. MacDill Avenue between W. Woodlawn Avenue and S.R. 574 in Hillsborough County is designated as “Jim Holmes Memorial Road.”*

(32) *That portion of the San Juan Street Extension in Anastasia State Park between Santander Street and Anastasia Park Road in St. Johns County is designated as “Nona and Popa Road.”*

(33) *That portion of U.S. 90 between Main Avenue and Martin Luther King, Jr., Avenue in Jefferson County is designated as “Lance Corporal Clemon ‘Clyde’ Alexander Memorial Drive.”*

(34) *That portion of S.R. 115/Southside Boulevard between Geiger Road and Leahy Road in Duval County is designated as “Benolken Parkway.”*

(35) *That portion of U.S. 90 between the Shoal River Bridge and the Walton County line in Okaloosa County is designated as “Deputies Skip York and Burt Lopez Memorial Highway.”*

(36) *That portion of S.R. 19 between Lane Park Cutoff Road and U.S. 441 in Lake County is designated as “Sheriff Chris Daniels Memorial Highway.”*

(37) *The Department of Transportation is directed to erect*

Senator Torres moved the following amendment to **Amendment 2 (957578)** which was adopted:

Amendment 2A (960212)—Delete line 86 and insert:

(37) *That portion of Hoagland Boulevard between Old Tampa Highway and Pershing Street in Osceola County is designated as “Officer Matthew Baxter and Sergeant Richard Sam Howard, III Boulevard.”*

(38) *The Department of Transportation is directed to erect*

Pursuant to Rule 7.1, there being no objection, consideration of the following late-filed amendment was allowed:

Senator Book moved the following amendment to **Amendment 2 (957578)** which was adopted:

Amendment 2B (835006)—Delete line 86 and insert:

(37) *That portion of Bruce B. Downs Boulevard between Cypress Preserve Drive and Amberly Drive in Hillsborough County is designated as “Stevie LaDue Giving Hope Highway.”*

(38) *The Department of Transportation is directed to erect*

Amendment 2 (957578), as amended, was adopted.

Senator Garcia moved the following amendment which was adopted:

Amendment 3 (470640)—Delete line 44 and insert:

(11) *That portion of E. 4th Avenue between 21st Street and 25th Street in Miami-Dade County is designated as “John J. Brunetti, Sr., Avenue.”*

(12) *The Department of Transportation is directed to erect*

Pursuant to Rule 7.1, there being no objection, consideration of the following late-filed amendments was allowed:

Senator Montford moved the following amendments which were adopted:

Amendment 4 (939000)—Delete line 44 and insert:

(11) *That portion of State Road 371/373/Orange Avenue between State Road 263/Capital Circle Southwest and State Road 61/Monroe Street in Leon County is designated as “CK Steele Memorial Highway.”*

(12) *The Department of Transportation is directed to erect*

Amendment 5 (722874) (with title amendment)—Between lines 46 and 47 insert:

Section 2. Subsection (35) of section 1 of chapter 2017-193, Laws of Florida, is amended to read:

Section 1. Transportation facility designations; Department of Transportation to erect suitable markers.—

(35) *Notwithstanding s. 334.071(3), that portion of U.S. 1 between Broward Boulevard and Sunrise Boulevard, in Broward County, is designated as “The Hope and Healing Highway.”*

And the title is amended as follows:

Delete line 6 and insert: to erect suitable markers; amending chapter 2017-193, Laws of Florida; providing for “The Hope and Healing Highway” designation, notwithstanding a specified provision; providing an effective

Pursuant to Rule 4.19, **CS for SB 382**, as amended, was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Book, by two-thirds vote—

CS for SB 992—A bill to be entitled An act relating to the C-51 reservoir project; amending s. 373.4598, F.S.; revising requirements relating to the operation of water storage and use for Phase I and Phase II of the C-51 reservoir project if state funds are appropriated for such phases; authorizing the South Florida Water Management District to enter into certain capacity allocation agreements and to request a waiver for repayment of certain loans; authorizing the Department of Environmental Protection to waive such loan repayment under certain conditions; specifying that the district is not responsible for repayment of such waived loans; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 992** was placed on the calendar of Bills on Third Reading.

On motion by Senator Montford, by unanimous consent—

SB 1712—A bill to be entitled An act relating to postsecondary revenue bonds and debt; amending s. 1010.62, F.S.; authorizing state universities to use specified moneys to pay debt service on revenue bonds if required by a specified federal program; providing an effective date.

—was taken up out of order and read the second time by title.

Pursuant to Rule 4.19, **SB 1712** was placed on the calendar of Bills on Third Reading.

By direction of the President, the rules were waived and the Senate reverted to—

BILLS ON THIRD READING

SB 800—A bill to be entitled An act relating to infectious disease elimination pilot programs; providing a short title; amending s. 381.0038, F.S.; authorizing the Department of Health to establish sterile needle and syringe exchange pilot programs upon request from eligible entities, rather than a single program established in Miami-Dade County; specifying who may be designated to operate a program; providing for the expiration of all pilot programs; providing for severability; providing an effective date.

—was read the third time by title.

Pursuant to Rule 7.1, there being no objection, consideration of the following late-filed amendment was allowed:

Senator Braynon moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (478644) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (4) of section 381.0038, Florida Statutes, is amended to read:

381.0038 Education; sterile needle and syringe exchange pilot program.—The Department of Health shall establish a program to educate the public about the threat of acquired immune deficiency syndrome.

(4) The University of Miami and its affiliates may establish a single sterile needle and syringe exchange pilot program in Miami-Dade County, Broward County, and Palm Beach County. The pilot program may operate at a fixed location or through a mobile health unit. The pilot program shall offer the free exchange of clean, unused needles and hypodermic syringes for used needles and hypodermic syringes as a means to prevent the transmission of HIV, AIDS, viral hepatitis, or other blood-borne diseases among intravenous drug users and their sexual partners and offspring.

(a) The pilot program must:

1. Provide for maximum security of exchange sites and equipment, including an accounting of the number of needles and syringes in use, the number of needles and syringes in storage, safe disposal of returned needles, and any other measure that may be required to control the use and dispersal of sterile needles and syringes.

2. Operate a one-to-one exchange, whereby the participant shall receive one sterile needle and syringe unit in exchange for each used one.

3. Make available educational materials and referrals to education regarding the transmission of HIV, viral hepatitis, and other blood-borne diseases; provide referrals for drug abuse prevention and treatment; and provide or refer for HIV and viral hepatitis screening.

(b) The possession, distribution, or exchange of needles or syringes as part of the pilot program established under this subsection is not a violation of any part of chapter 893 or any other law.

(c) A pilot program staff member, volunteer, or participant is not immune from criminal prosecution for:

1. The possession of needles or syringes that are not a part of the pilot program; or

2. The redistribution of needles or syringes in any form, if acting outside the pilot program.

(d) The pilot program must collect data for quarterly, annual, and final reporting purposes. The annual report must include information on the number of participants served, the number of needles and syringes exchanged and distributed, the demographic profiles of the participants served, the number of participants entering drug counseling and treatment; the number of participants receiving testing for HIV, AIDS, viral hepatitis, or other blood-borne diseases; and other data necessary for the pilot program. However, personal identifying information may not be collected from a participant for any purpose. Quarterly reports must be submitted to the Department of Health in ~~Miami Dade County~~ by October 15, January 15, April 15, and July 15 of each year. An annual report must be submitted to the Department of Health by August 1 every year until the program expires. A final report is due on August 1, 2023 ~~2021~~, to the Department of Health and must describe the performance and outcomes of the pilot program and include a summary of the information in the annual reports for all pilot program years.

(e) State, county, or municipal funds may not be used to operate the pilot program. The pilot program shall be funded through grants and donations from private resources and funds.

(f) The pilot program shall expire July 1, 2023 ~~2021~~.

Section 2. This act shall take effect July 1, 2018.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to an infectious disease elimination pilot program; amending s. 381.0038, F.S.; authorizing the University of Miami and its affiliates to establish sterile needle and syringe exchange pilot programs in Broward County and Palm Beach County; establishing the pilot program criteria; providing that the possession, distribution, or exchange of needles and syringes under the pilot program is not a violation of the Florida Comprehensive Drug Abuse Prevention and Control Act or any other law; providing conditions under which a pilot program staff member, volunteer, or participant may be prosecuted; requiring the pilot program to collect certain data for reporting purposes; prohibiting the collection of personal identifying information from program participants; requiring the university and its affiliates to submit quarterly and annual reports to the Department of Health; requiring the university and its affiliates to submit a final report containing certain information and summaries to the department; prohibiting use of state, county, or municipal funds to operate the pilot program; requiring the pilot program to be funded through private grants and donations; providing for expiration of the pilot program; providing an effective date.

On motion by Senator Braynon, **SB 800**, as amended, was passed, ordered engrossed, and certified to the House. The vote on passage was:

Yeas—34

Baxley	Galvano	Rodriguez
Bean	Garcia	Rouson
Benacquisto	Gibson	Simmons
Book	Grimsley	Simpson
Bracy	Hukill	Stargel
Bradley	Hutson	Stewart
Braynon	Mayfield	Taddeo
Broxson	Montford	Thurston
Campbell	Passidomo	Torres
Farmer	Perry	Young
Flores	Powell	
Gainer	Rader	

Nays—1

Steube

Vote after roll call:

Yea—Brandes

Consideration of **SB 162** was deferred.

On motion by Senator Passidomo, by unanimous consent—

CS for SB 434—A bill to be entitled An act relating to a neonatal abstinence syndrome pilot project; amending s. 400.902, F.S.; revising the definition of the term “prescribed pediatric extended care center” or “PPEC center” to include certain buildings that provide certain residential services to infants with neonatal abstinence syndrome; establishing a prerequisite for the admission of an infant with neonatal abstinence syndrome to a PPEC center; expanding the definition of the term “medically dependent or technologically dependent child” to include certain infants diagnosed with neonatal abstinence syndrome; amending s. 400.914, F.S.; providing that a specified Agency for Health Care Administration rule include an exception for infants being treated for neonatal abstinence syndrome; creating s. 400.917, F.S.; defining terms; requiring the agency, in consultation with the Department of Children and Families, to establish a pilot project to approve one or more facilities licensed to provide PPEC services to treat certain eligible infants; providing the purpose of the pilot project; providing a start and end date for the pilot project; requiring the agency, in consultation with the department, to adopt by rule minimum standards for facilities approved to provide certain services to eligible infants; requiring certain criteria to be included in such standards; specifying that a PPEC center is not required to obtain a certificate of need to be approved to provide services under this section; establishing minimum requirements for a PPEC center to be eligible to provide services to eligible infants and to participate in the pilot project; prohibiting a PPEC center providing such services from treating an infant for longer than a specified period of time; providing that a PPEC center may require a mother or visitor to vacate its premises under specified circumstances; allowing certain health care professionals to prevent the removal of an infant from the facility under certain circumstances; requiring the agency to require approved PPEC centers to meet and maintain representations in the facility’s plan submitted for approval; requiring the Department of Health to contract with a state university to study certain components of the pilot project and establish certain baseline data for studies on the neurodevelopmental outcomes of infants with neonatal abstinence syndrome; requiring the department to report results of the study to the Legislature by a certain date; requiring approved PPEC centers, hospitals meeting certain criteria, and Medicaid managed medical assistance plans to provide to the contracted university relevant financial and medical data consistent with federal law; requiring the agency to begin rulemaking and to apply for certain Medicaid waivers after the act becomes a law; providing appropriations; providing an effective date.

—was taken up out of order and read the third time by title.

On motion by Senator Passidomo, **CS for SB 434** was passed and certified to the House. The vote on passage was:

Yeas—35

Baxley	Galvano	Rodriguez
Bean	Gibson	Rouson
Benacquisto	Grimsley	Simmons
Book	Hukill	Simpson
Bracy	Hutson	Stargel
Bradley	Lee	Steube
Brandes	Mayfield	Stewart
Braynon	Montford	Taddeo
Broxson	Passidomo	Thurston
Campbell	Perry	Torres
Flores	Powell	Young
Gainer	Rader	

Nays—None

Vote after roll call:

Yea—Garcia

Consideration of **CS for SB 1048** and **CS for HB 55** was deferred.

CS for SB 942—A bill to be entitled An act relating to the Department of Juvenile Justice’s direct-support organization; amending s. 985.672, F.S.; requiring the secretary of the department to appoint board of directors to the department’s direct-support organization according to the organization’s established bylaws; abrogating the scheduled repeal of provisions governing a direct-support organization established by the department; providing an effective date.

—was read the third time by title.

On motion by Senator Bracy, **CS for SB 942** was passed and certified to the House. The vote on passage was:

Yeas—35

Baxley	Galvano	Rodriguez
Bean	Gibson	Rouson
Benacquisto	Grimsley	Simmons
Book	Hukill	Simpson
Bracy	Hutson	Stargel
Bradley	Lee	Steube
Brandes	Mayfield	Stewart
Braynon	Montford	Taddeo
Broxson	Passidomo	Thurston
Campbell	Perry	Torres
Flores	Powell	Young
Gainer	Rader	

Nays—None

Vote after roll call:

Yea—Garcia

CS for SB 872—A bill to be entitled An act relating to young farmers and ranchers; creating s. 570.842, F.S.; creating the Florida Young Farmer and Rancher Matching Grant Program within the Department of Agriculture and Consumer Services; specifying the purpose of the grants; requiring the department to select grant recipients based on certain criteria; requiring the department to adopt rules; specifying minimum grant selection criteria; specifying a grant award minimum and maximum; requiring that no more than one award per year may go to an individual recipient; specifying that grant funding is contingent upon specific appropriation from the Legislature; creating s. 570.843, F.S.; creating the Florida Young Farmer and Rancher Advisory Council within the department; specifying membership of the council; providing for staggered terms; specifying the meetings, powers, duties, procedures, and recordkeeping of the council; specifying that the council may submit findings and recommendations to the Commissioner of Agri-

culture; specifying the issues the council may examine; creating s. 570.844, F.S.; requiring the department to establish a clearinghouse on its website for resources to assist young and beginning farmers and ranchers; providing an effective date.

—was read the third time by title.

On motion by Senator Grimsley, **CS for SB 872** was passed and certified to the House. The vote on passage was:

Yeas—35

Baxley	Galvano	Rodriguez
Bean	Gibson	Rouson
Benacquisto	Grimsley	Simmons
Book	Hukill	Simpson
Bracy	Hutson	Stargel
Bradley	Lee	Steube
Brandes	Mayfield	Stewart
Braynon	Montford	Taddeo
Broxson	Passidomo	Thurston
Campbell	Perry	Torres
Flores	Powell	Young
Gainer	Rader	

Nays—None

CS for CS for SB 740—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 193.461, F.S.; specifying the methodology for the assessment of certain structures in horticultural production; specifying, subject to certain conditions, that land classified as agricultural remains classified as such for a specified period if such lands are damaged by certain natural disasters and agricultural production is halted or reduced; providing for retroactive application; creating s. 252.3569, F.S.; providing a legislative finding; establishing a state agricultural response team within the department; specifying the responsibilities of the team in coordination with the Division of Emergency Management; requiring, during emergency and disaster situations, the division to coordinate with the department for specified purposes; amending s. 316.565, F.S.; revising the Governor’s authority, to include agricultural products instead of only perishable food, in declaring an emergency relating to the transport of such products when there is a breakdown in the normal public transportation facilities necessary to move such products; authorizing the Department of Transportation to issue, and specifying that certain law enforcement officers must accept, electronic verification of permits during a declared state of emergency; providing that such permits are valid for up to a specified period, but no longer than the duration of the declared state of emergency or any extension thereof; requiring the Department of Transportation to consult with the Department of Agriculture and Consumer Services and stakeholders in the agricultural industry in implementing emergency transportation assistance for agricultural products; amending s. 379.361, F.S.; transferring authority to issue licenses for oyster harvesting in Apalachicola Bay from the department to the City of Apalachicola; revising the disposition and permitted uses of license proceeds; amending s. 487.041, F.S.; deleting obsolete provisions; deleting a requirement that all pesticide registration fees be submitted electronically; amending s. 496.415, F.S.; prohibiting the commingling of funds in connection with the planning, conduct, or execution of any solicitation or charitable or sponsor sales promotion; amending s. 496.418, F.S.; revising recordkeeping and accounting requirements for solicitations of funds; specifying a rebuttable presumption under certain circumstances; amending s. 500.459, F.S.; revising permitting requirements and operating standards for water vending machines; amending s. 501.059, F.S.; revising the term “telephonic sales call” to include voicemail transmissions; defining the term “voicemail transmission”; prohibiting the transmission of voicemails to specified persons who communicate to a telephone solicitor that they would not like to receive certain voicemail solicitations or requests for donations; requiring a solicitor to ensure that if a telephone number is available through a caller identification system, that telephone number must be capable of receiving calls and must connect the original call recipient to the solicitor; revising civil penalties; creating s. 501.6175, F.S.; specifying recordkeeping requirements for commercial telephone sellers; amending s. 501.912, F.S.; revising terms; amending s. 501.913,

F.S.; authorizing antifreeze brands to be registered for a specified period; deleting a provision relating to the registration of brands that are no longer in production; specifying a certified report requirement for first-time applications; amending s. 501.917, F.S.; revising department sampling and analysis requirements for antifreeze; specifying that the certificate of analysis is prima facie evidence of the facts stated therein; amending s. 501.92, F.S.; revising when the department may require an antifreeze formula for analysis; amending s. 525.07, F.S.; authorizing the department to seize skimming devices without a warrant; amending s. 526.51, F.S.; revising application requirements and fees for brake fluid brands; deleting a provision relating to the registration of brands that are no longer in production; amending s. 526.53, F.S.; revising department sampling and analysis requirements for brake fluid; specifying that the certificate of analysis is prima facie evidence of the facts stated therein; amending s. 527.01, F.S.; revising terms; amending s. 527.02, F.S.; revising the persons subject to liquefied petroleum business licensing provisions; revising such licensing fees and requirements; revising reporting and fee requirements for certain material changes to license information; deleting a provision authorizing license transfers; amending s. 527.0201, F.S.; revising the persons subject to liquefied petroleum qualifier competency examination, registry, supervisory, and employment requirements; revising the expiration of qualifier registrations; revising the persons subject to master qualifier requirements; revising master qualifier application requirements; deleting provisions specifying that a failure to replace master qualifiers within certain periods constitutes grounds for license revocation; deleting a provision relating to facsimile transmission of duplicate licenses; amending s. 527.021, F.S.; revising the circumstances under which liquefied petroleum gas bulk delivery vehicles must be registered with the department; amending s. 527.03, F.S.; authorizing certain liquefied petroleum gas registrations to be renewed for 2 or 3 years; deleting certain renewal period requirements; amending s. 527.04, F.S.; revising the persons required to provide the department with proof of insurance; revising the required payee for a bond in lieu of such insurance; amending s. 527.0605, F.S.; deleting provisions requiring licensees to submit a site plan and review fee for liquefied petroleum bulk storage container locations; amending s. 527.065, F.S.; revising the circumstances under which a liquefied petroleum gas licensee must notify the department of an accident; amending s. 527.067, F.S.; requiring certain liquefied petroleum gas dealers to provide notice within a specified period before rendering a consumer's liquefied petroleum gas equipment or system inoperable or discontinuing service; providing an exception; amending ss. 527.10 and 527.21, F.S.; conforming provisions to changes made by the act; amending s. 527.22, F.S.; deleting an obsolete provision; amending s. 531.67, F.S.; extending the expiration date of certain provisions relating to permits for commercially operated or tested weights or measures instruments or devices; amending s. 534.47, F.S.; revising and providing definitions; amending s. 534.49, F.S.; conforming provisions to changes made by the act; repealing s. 534.50, F.S., relating to reporting and notice requirements for dishonored checks and drafts for payment of livestock purchases; amending s. 534.501, F.S.; providing that delaying or failing to make payment for certain livestock is an unfair and deceptive act; repealing s. 534.51, F.S., relating to the prohibition of the filing of complaints by certain livestock markets; amending s. 534.54, F.S.; providing that purchasers who delay or fail to render payment for purchased livestock are liable for certain fees, costs, and expenses; conforming provisions to changes made by the act; amending s. 570.07, F.S.; authorizing the department to waive certain fees during a state of emergency; amending s. 573.111, F.S.; revising the required posting location for the issuance of an agricultural commodity marketing order; amending s. 578.011, F.S.; revising and defining terms; creating s. 578.012, F.S.; providing legislative intent; creating a preemption of local law relating to regulation of seed; amending s. 578.08, F.S.; revising application requirements for the registration of seed dealers; conforming provisions to changes made by the act; specifying that a receipt from the department need not be written to constitute a permit; deleting an exception to registration requirements for certain experiment stations; requiring the payment of fees when packet seed is placed into commerce; amending s. 578.09, F.S.; revising labeling requirements for agricultural, vegetable, flower, tree, and shrub seeds; conforming a cross-reference; repealing s. 578.091, F.S., relating to labeling of forest tree seed; amending s. 578.10, F.S.; revising exemptions to seed labeling, sale, and solicitation requirements; amending s. 578.11, F.S.; conforming provisions to changes made by the act; making technical changes; amending s. 578.12, F.S.; conforming provisions to changes made by the act; amending s. 578.13, F.S.; conforming provisions to changes made by the act; specifying that it is

unlawful to move, handle, or dispose of seeds or tags under a stop-sale notice or order without permission from the department; specifying that it is unlawful to represent seed as certified except under specified conditions or to label seed with a variety name under certain conditions; repealing s. 578.14, F.S., relating to packet vegetable and flower seed; amending s. 578.181, F.S.; revising penalties; amending s. 578.23, F.S.; revising recordkeeping requirements relating to seed labeling; amending s. 578.26, F.S.; conforming provisions to changes made by the act; specifying that certain persons may not commence legal proceedings or make certain claims against a seed dealer before certain findings and recommendations are transmitted by the seed investigation and conciliation council to the complainant and dealer; deleting a requirement that the department transmit such findings and recommendations to complainants and dealers; requiring the department to mail a copy of the council's procedures to both parties upon receipt of a complaint; amending s. 578.27, F.S.; removing alternate membership from the seed investigation and conciliation council; revising the terms of members of the council; conforming provisions to changes made by the act; revising the purpose of the council; revising the council's investigatory process; renumbering and amending s. 578.28, F.S.; making a technical change; creating s. 578.29, F.S.; prohibiting certain noxious weed seed from being offered or exposed for sale; amending s. 590.02, F.S.; authorizing the Florida Forest Service to pay certain employees' initial commercial driver license examination fees; creating s. 817.417, F.S.; providing a short title; defining terms; specifying department duties and responsibilities relating to government impostor and deceptive advertisements; requiring rulemaking by the department; specifying that it is a violation to disseminate certain misleading or confusing advertisements, to make certain misleading or confusing representations, to use content implying or leading to confusion that such content is from a governmental entity when such is not true, to fail to provide certain disclosures, and to fail to provide certain responses and answers to the department; requiring a person offering documents that are available free of charge or at a lesser price from a governmental entity to provide a certain disclosure; providing penalties; amending s. 489.105, F.S.; conforming provisions to changes made by the act; reenacting s. 527.06(3), F.S., relating to published standards of the National Fire Protection Association; providing an effective date.

—as amended March 1, was read the third time by title.

On motion by Senator Stargel, **CS for CS for SB 740**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—34

Baxley	Galvano	Rouson
Bean	Gibson	Simmons
Benacquisto	Grimsley	Simpson
Book	Hukill	Stargel
Bracy	Hutson	Steube
Bradley	Mayfield	Stewart
Brandes	Montford	Taddeo
Braynon	Passidomo	Thurston
Broxson	Perry	Torres
Campbell	Powell	Young
Flores	Rader	
Gainer	Rodriguez	

Nays—None

Vote after roll call:

Yea—Garcia

THE PRESIDENT PRESIDING

CS for CS for CS for SB 1650—A bill to be entitled An act relating to child welfare; amending s. 39.001, F.S.; providing an additional purpose of ch. 39, F.S.; providing for the name of a child's guardian ad litem or attorney ad litem to be entered on court orders in dependency proceedings; amending s. 39.01, F.S.; expanding the definition of the term "harm" to encompass infants born under certain circumstances; amending s. 39.0136, F.S.; requiring cooperation between certain parties and the court to achieve permanency for a child in a timely manner;

requiring certain court orders to specify certain deadlines; amending s. 39.402, F.S.; providing that time limitations governing placement of a child in a shelter do not include continuances requested by the court; providing limitations on continuances; providing requirements for parents to achieve reunification with the child; amending s. 39.507, F.S.; requiring the court to advise the parents during an adjudicatory hearing of certain actions that are required to achieve reunification; amending s. 39.521, F.S.; requiring the department to provide copies of the family functioning assessment to certain persons; amending s. 39.522, F.S.; providing conditions for the court to consider the continuity of the child's placement in the same out-of-home residence before the permanency placement is approved in a postdisposition proceeding to modify custody; amending s. 39.6011, F.S.; requiring a case plan for a child receiving services from the department to include a protocol for parents to achieve reunification with the child; providing that certain action or inaction by a parent may result in termination of parental rights; requiring the department to provide certain information to a parent before signing a case plan; providing a timeframe for referral for services; amending s. 39.6012, F.S.; requiring a case plan to contain certain information; requiring parents or legal guardians to provide certain information to the department or contracted case management agency and to update the information as appropriate; requiring the parents or legal guardians to make proactive contact with the department or contracted case management agency; amending s. 39.6013, F.S.; requiring the court to consider certain factors when determining whether to amend a case plan; conforming a cross-reference; amending s. 39.621, F.S.; requiring the court to determine certain factors at a permanency hearing; requiring the court to hold permanency hearings within specified timeframes until permanency is determined; amending s. 39.701, F.S.; revising the findings a court must make at a judicial review hearing relating to a child's permanency goal; requiring the department to file a motion to amend a case plan when concurrent planning is used, under certain circumstances; amending s. 39.806, F.S.; specifying that a parent or parents may materially breach a case plan by action or inaction; amending s. 39.811, F.S.; requiring the court to enter a written order of disposition of the child following termination of parental rights within a specified timeframe; providing an effective date.

—was read the third time by title.

On motion by Senator Montford, **CS for CS for CS for SB 1650** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Galvano	Rodriguez
Baxley	Garcia	Rouson
Bean	Gibson	Simmons
Benacquisto	Grimsley	Simpson
Book	Hukill	Stargel
Bracy	Hutson	Steube
Bradley	Lee	Stewart
Brandes	Mayfield	Taddeo
Braynon	Montford	Thurston
Broxson	Passidomo	Torres
Campbell	Perry	Young
Flores	Powell	
Gainer	Rader	

Nays—None

CS for SB 1132—A bill to be entitled An act relating to vessel safety inspection decals; amending s. 327.70, F.S.; providing rulemaking authority to the Fish and Wildlife Conservation Commission regarding expiration and design of safety inspection decals; specifying standards for such rulemaking; providing a minimum and maximum period of validity for the decal; specifying that decals issued on or before a specified date are no longer valid after that date; providing an effective date.

—as amended March 1, was read the third time by title.

On motion by Senator Hutson, **CS for SB 1132**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gainer	Rader
Baxley	Galvano	Rodriguez
Bean	Garcia	Rouson
Benacquisto	Gibson	Simmons
Book	Grimsley	Simpson
Bracy	Hukill	Stargel
Bradley	Hutson	Steube
Brandes	Lee	Stewart
Braynon	Mayfield	Taddeo
Broxson	Montford	Thurston
Campbell	Passidomo	Torres
Farmer	Perry	Young
Flores	Powell	

Nays—None

CS for SB 1526—A bill to be entitled An act relating to the Historically Black Colleges and Universities Matching Endowment Scholarship Program; creating s. 1009.894, F.S.; establishing the Historically Black Colleges and Universities Matching Endowment Scholarship Program within the Department of Education; providing the purpose of the program; authorizing the Legislature to appropriate funds for the program; requiring a historically black college or university to provide a certain amount of matching funds to participate in the program; requiring specified funds to be invested; requiring certain funds to remain in the trust fund; providing that the interest the trust fund earns will be used to provide scholarships to certain students; providing for annual disbursement of the interest, by a specified date; requiring the State Board of Education and Board of Governors of the State University System to adopt rules and regulations, respectively; providing an effective date.

—was read the third time by title.

On motion by Senator Gibson, **CS for SB 1526** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gainer	Rader
Baxley	Galvano	Rodriguez
Bean	Garcia	Rouson
Benacquisto	Gibson	Simmons
Book	Grimsley	Simpson
Bracy	Hukill	Stargel
Bradley	Hutson	Steube
Brandes	Lee	Stewart
Braynon	Mayfield	Taddeo
Broxson	Montford	Thurston
Campbell	Passidomo	Torres
Farmer	Perry	Young
Flores	Powell	

Nays—None

CS for CS for SB 1392—A bill to be entitled An act relating to prearrest diversion programs; creating s. 901.40, F.S.; providing legislative findings and intent; encouraging counties, municipalities, and public or private educational institutions to implement prearrest diversion programs; requiring that in each judicial circuit the public defender, the state attorney, the clerks of the court, and representatives of participating law enforcement agencies create a prearrest diversion program and develop its policies and procedures; authorizing such entities to solicit stakeholders for input in developing the program's policies and procedures; providing requirements for the prearrest diversion program; requiring the state attorney of each circuit to operate the prearrest diversion program; providing an exception; providing construction; requiring the arresting law enforcement officer to make a determination if an adult does not successfully complete the prearrest diversion program; requiring the state attorney or the person operating an independent prearrest diversion program to electronically provide

certain information to the clerk of the court; requiring the clerk of the court to maintain the confidentiality of such information; requiring the clerk of the court to maintain that information in a statewide database; amending s. 943.0582, F.S.; requiring, rather than authorizing, the Department of Law Enforcement to adopt rules for the expunction of certain nonjudicial records of the arrest of a minor upon his or her successful completion of a certain diversion program; authorizing such expunctions for certain first-time misdemeanor offenses; defining and revising terms; revising the circumstances under which the department must expunge certain nonjudicial arrest records; deleting the department's authority to charge a processing fee for the expunction; amending s. 985.12, F.S.; providing legislative findings and intent; deleting provisions establishing a juvenile civil citation process with a certain purpose; establishing a civil citation or similar prearrest diversion program in each judicial circuit, rather than at the local level, with the concurrence of specified persons; requiring that the state attorney and public defender of each circuit, the clerk of the court for each county in the circuit, and representatives of participating law enforcement agencies create a civil citation or similar prearrest diversion program and develop its policies and procedures; authorizing such entities to solicit stakeholders for input in developing the program's policies and procedures; requiring the Department of Juvenile Justice to annually develop and provide guidelines on civil citation or similar prearrest diversion programs to the judicial circuits; providing requirements for the civil citation or similar prearrest diversion program; requiring the state attorney of each judicial circuit to operate the civil citation or similar prearrest diversion program; providing an exception; providing construction; requiring the arresting law enforcement officer to make a determination if a juvenile does not successfully complete the civil citation or similar prearrest diversion program; deleting provisions relating to the operation of and requirements for a civil citation or similar prearrest diversion program; requiring that a copy of each civil citation or similar prearrest diversion program notice be provided to the Department of Juvenile Justice; conforming provisions to changes made by the act; deleting provisions relating to requirements for a civil citation or similar prearrest diversion program; amending s. 985.125, F.S.; conforming a provision to changes made by the act; creating s. 985.126, F.S.; defining the term "diversion program"; requiring a diversion program to submit to the Department of Law Enforcement a certification for expunction of the nonjudicial arrest record of a juvenile under specified circumstances; requiring a diversion program to submit to the Department of Juvenile Justice specified data relating to diversion programs; requiring each law enforcement agency to submit to the Department of Juvenile Justice specified data about juveniles eligible to participate in diversion programs; requiring the Department of Juvenile Justice to compile and publish the data in a specified manner; authorizing a juvenile under certain circumstances to deny or fail to acknowledge his or her participation in a diversion program or the expunction of a certain nonjudicial arrest record unless an exception applies; providing an effective date.

—was read the third time by title.

On motion by Senator Brandes, **CS for CS for SB 1392** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gainer	Rader
Baxley	Galvano	Rodriguez
Bean	Garcia	Rouson
Benacquisto	Gibson	Simmons
Book	Grimsley	Simpson
Bracy	Hukill	Stargel
Bradley	Hutson	Steube
Brandes	Lee	Stewart
Braynon	Mayfield	Taddeo
Broxson	Montford	Thurston
Campbell	Passidomo	Torres
Farmer	Perry	Young
Flores	Powell	

Nays—None

CS for SB 632—A bill to be entitled An act relating to vessel registration; amending s. 328.80, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to issue an electronic certificate of registration for a vessel, to collect electronic mail addresses, and to use electronic mail for certain purposes; amending s. 328.48, F.S.; authorizing a vessel operator to present such electronic certificate for inspection under certain circumstances; providing construction; providing that the person displaying the device assumes the liability for any resulting damage to the device; providing an effective date.

—was read the third time by title.

On motion by Senator Montford, **CS for SB 632** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gainer	Rader
Baxley	Galvano	Rodriguez
Bean	Garcia	Rouson
Benacquisto	Gibson	Simmons
Book	Grimsley	Simpson
Bracy	Hukill	Stargel
Bradley	Hutson	Steube
Brandes	Lee	Stewart
Braynon	Mayfield	Taddeo
Broxson	Montford	Thurston
Campbell	Passidomo	Torres
Farmer	Perry	Young
Flores	Powell	

Nays—None

CS for SB 764—A bill to be entitled An act relating to the Dental Student Loan Repayment Program; creating s. 381.4019, F.S.; establishing the Dental Student Loan Repayment Program to support dentists who practice in public health programs located in certain underserved areas; providing definitions; requiring the Department of Health to establish the loan program; providing for the award of funds; providing the maximum number of years funds may be awarded; providing eligibility requirements; requiring the department to adopt rules; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for SB 764** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gainer	Rader
Baxley	Galvano	Rodriguez
Bean	Garcia	Rouson
Benacquisto	Gibson	Simmons
Book	Grimsley	Simpson
Bracy	Hukill	Stargel
Bradley	Hutson	Steube
Brandes	Lee	Stewart
Braynon	Mayfield	Taddeo
Broxson	Montford	Thurston
Campbell	Passidomo	Torres
Farmer	Perry	Young
Flores	Powell	

Nays—None

SB 982—A bill to be entitled An act relating to care for retired law enforcement dogs; creating s. 943.69, F.S.; providing a short title; providing legislative findings; defining terms; creating the Care for Retired Law Enforcement Dogs Program within the Department of Law Enforcement; requiring the department to contract with a corporation not for profit to administer and manage the program; providing requirements for the corporation not for profit; providing requirements for the

disbursement of funds for the veterinary care of eligible retired law enforcement dogs; placing an annual cap on the amount of funds available for the care of an eligible retired law enforcement dog; prohibiting a former handler or adopter from receiving reimbursement if funds are depleted for the year for which such reimbursement is sought; requiring the department to pay to the corporation not for profit, and authorizing the corporation not for profit to use, up to a certain percentage of appropriated funds for administrative purposes; requiring the department to adopt rules; providing an appropriation; providing an effective date.

—was read the third time by title.

On motion by Senator Powell, **SB 982** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Galvano	Rader
Baxley	Garcia	Rodriguez
Bean	Gibson	Rouson
Benacquisto	Grimsley	Simmons
Bracy	Hukill	Simpson
Bradley	Hutson	Stargel
Brandes	Lee	Steube
Broxson	Mayfield	Stewart
Campbell	Montford	Taddeo
Farmer	Passidomo	Thurston
Flores	Perry	Torres
Gainer	Powell	Young

Nays—None

Vote after roll call:

Yea—Book, Braynon

CS for SB 512—A bill to be entitled An act relating to homestead waivers; creating s. 732.7025, F.S.; providing language that may be used to waive spousal homestead rights concerning devise restrictions; providing an effective date.

—was read the third time by title.

On motion by Senator Young, **CS for SB 512** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gainer	Rader
Baxley	Galvano	Rodriguez
Bean	Garcia	Rouson
Benacquisto	Gibson	Simmons
Book	Grimsley	Simpson
Bracy	Hukill	Stargel
Bradley	Hutson	Steube
Brandes	Lee	Stewart
Braynon	Mayfield	Taddeo
Broxson	Montford	Thurston
Campbell	Passidomo	Torres
Farmer	Perry	Young
Flores	Powell	

Nays—None

Consideration of **CS for SB 610** was deferred.

CS for CS for CS for SB 268—A bill to be entitled An act relating to public records; creating s. 744.21031, F.S.; providing an exemption from public records requirements for certain identifying and location information of current or former public guardians, employees with fiduciary responsibility, and the spouses and children thereof; defining

the term “employee with fiduciary responsibility”; providing for retroactive application; requiring an agency that is the custodian of certain information to maintain the exempt status of that information only if the current or former public guardians and employees with fiduciary responsibility submit a written request for maintenance of the exemption to the custodial agency; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Passidomo, **CS for CS for CS for SB 268** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gainer	Rader
Baxley	Galvano	Rodriguez
Bean	Garcia	Rouson
Benacquisto	Gibson	Simmons
Book	Grimsley	Simpson
Bracy	Hukill	Stargel
Bradley	Hutson	Steube
Brandes	Lee	Stewart
Braynon	Mayfield	Taddeo
Broxson	Montford	Thurston
Campbell	Passidomo	Torres
Farmer	Perry	Young
Flores	Powell	

Nays—None

SENATOR BENACQUISTO PRESIDING

SB 34—A bill to be entitled An act for the relief of Shuler Limited Partnership by the Florida Forest Service of the Department of Agriculture and Consumer Services, formerly known as the Division of Forestry, and the Board of Trustees of the Internal Improvement Trust Fund; providing for an appropriation to compensate Shuler Limited Partnership for costs and fees and for damages sustained to 835 acres of its timber as a result of the negligence, negligence per se, and gross negligence of employees of the Florida Forest Service and their violation of ch. 590, F.S.; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the third time by title.

On motion by Senator Montford, **SB 34** was passed and certified to the House. The vote on passage was:

Yeas—36

Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hukill	Stargel
Brandes	Hutson	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Taddeo
Campbell	Montford	Thurston
Farmer	Passidomo	Torres
Flores	Powell	Young

Nays—1

Perry

CS for SB 280—A bill to be entitled An act relating to telehealth; creating s. 456.4501, F.S.; defining terms; establishing the standard of care for telehealth providers; authorizing telehealth providers to use

telehealth to perform patient evaluations; providing that telehealth providers, under certain circumstances, are not required to research a patient's history or conduct physical examinations before providing services through telehealth; providing that a nonphysician telehealth provider using telehealth and acting within his or her relevant scope of practice is not deemed to be practicing medicine without a license; authorizing certain telehealth providers to use telehealth to prescribe specified controlled substances; providing for construction; requiring the Department of Health to develop and disseminate certain educational materials to specified licensees by a specified date; providing recordkeeping requirements for telehealth providers; providing requirements for patient consent for telehealth treatment; providing an effective date.

—as amended March 1, was read the third time by title.

On motion by Senator Bean, **CS for SB 280**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—36

Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Grimsley	Simpson
Bradley	Hukill	Stargel
Brandes	Hutson	Steube
Braynon	Lee	Stewart
Broxson	Montford	Taddeo
Campbell	Passidomo	Thurston
Farmer	Perry	Torres
Flores	Powell	Young

Nays—None

Vote after roll call:

Yea—Mayfield

CS for SB 562—A bill to be entitled An act relating to regulation of smoking; amending s. 386.209, F.S.; authorizing municipalities and counties to further restrict smoking within the boundaries of certain public parks and designated facilities; providing an effective date.

—was read the third time by title.

On motion by Senator Mayfield, **CS for SB 562** was passed and certified to the House. The vote on passage was:

Yeas—36

Baxley	Galvano	Rader
Bean	Garcia	Rodriguez
Benacquisto	Gibson	Rouson
Book	Grimsley	Simmons
Bracy	Hukill	Simpson
Bradley	Hutson	Stargel
Braynon	Lee	Steube
Broxson	Mayfield	Stewart
Campbell	Montford	Taddeo
Farmer	Passidomo	Thurston
Flores	Perry	Torres
Gainer	Powell	Young

Nays—1

Brandes

CS for SB 394—A bill to be entitled An act relating to fire safety; amending s. 633.408, F.S.; requiring the Division of State Fire Marshal to establish specified courses as a part of firefighter and volunteer firefighter training and certification; amending s. 633.508, F.S.; speci-

fying the division's authority to adopt rules for training related to cancer and mental health risks within the fire service; providing an effective date.

—was read the third time by title.

On motion by Senator Bracy, **CS for SB 394** was passed and certified to the House. The vote on passage was:

Yeas—36

Baxley	Galvano	Rader
Bean	Garcia	Rodriguez
Benacquisto	Gibson	Rouson
Book	Grimsley	Simmons
Bracy	Hukill	Simpson
Bradley	Hutson	Stargel
Braynon	Lee	Steube
Broxson	Mayfield	Stewart
Campbell	Montford	Taddeo
Farmer	Passidomo	Thurston
Flores	Perry	Torres
Gainer	Powell	Young

Nays—None

Vote after roll call:

Yea—Brandes

SB 168—A bill to be entitled An act relating to nonnative animals; creating s. 379.2311, F.S.; defining the term “priority invasive species”; providing legislative findings; requiring the Fish and Wildlife Conservation Commission to establish a pilot program for the eradication of priority invasive species; providing the goal of the pilot program; authorizing the commission to enter into specified contracts; specifying parameters for the implementation of the pilot program; specifying procedures for the capture and disposal of animals that belong to priority invasive species; requiring the commission to submit a report to the Governor and the Legislature by a specified date; providing an effective date.

—as amended March 1, was read the third time by title.

On motion by Senator Steube, **SB 168**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—37

Baxley	Galvano	Rodriguez
Bean	Garcia	Rouson
Benacquisto	Gibson	Simmons
Book	Grimsley	Simpson
Bracy	Hukill	Stargel
Bradley	Hutson	Steube
Brandes	Lee	Stewart
Braynon	Mayfield	Taddeo
Broxson	Montford	Thurston
Campbell	Passidomo	Torres
Farmer	Perry	Young
Flores	Powell	
Gainer	Rader	

Nays—None

Consideration of **CS for SB 502** was deferred.

CS for SB 450—A bill to be entitled An act relating to mental health and substance use disorders; amending s. 394.455, F.S.; defining the term “peer specialist”; amending s. 394.4572, F.S.; requiring a specific level of screening for peer specialists working in mental health programs and facilities; amending s. 394.4573, F.S.; specifying that the use

of peer specialists for recovery support is an essential element of a coordinated system of behavioral health care; amending s. 397.311, F.S.; defining the term "peer specialist"; amending s. 397.4073, F.S.; conforming provisions to changes made by the act; creating s. 397.417, F.S.; providing legislative findings and intent; authorizing a person to seek certification as a peer specialist if he or she meets specified qualifications; requiring a background screening, completion of a training program, and a passing score on a competency exam for a qualified person to obtain certification as a peer specialist; requiring the Department of Children and Families to develop a training program for peer specialists and give preference to trainers who are certified peer specialists; requiring the training program to coincide with a competency exam and be based on current practice standards; requiring the department to certify peer specialists directly or by designating a nonprofit certification organization; requiring that a person providing peer specialist services be certified or supervised by a licensed behavioral health care professional or a certified peer specialist; authorizing the department, a behavioral health managing entity, or the Medicaid program to reimburse a peer specialist service as a recovery service; encouraging Medicaid managed care plans to use peer specialists in providing recovery services; requiring peer specialists to meet the requirements of a background screening as a condition of employment and continued employment; authorizing the department or the Agency for Health Care Administration to require by rule that fingerprints be submitted electronically to the Department of Law Enforcement; authorizing the department or the agency to contract with certain vendors for fingerprinting; specifying requirements for vendors; specifying offenses to be considered in the background screening of a peer specialist; authorizing a person who does not meet background screening requirements to request an exemption from disqualification from the department or the agency; providing that all peer specialists certified as of the effective date of this act are recognized as having met the requirements of this act; amending ss. 212.055, 394.495, 394.496, 394.9085, 397.416, 409.972, 440.102, and 744.2007, F.S.; conforming cross-references; making technical changes; providing an effective date.

—as amended March 1, was read the third time by title.

On motion by Senator Garcia, **CS for SB 450**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—37

Baxley	Galvano	Rodriguez
Bean	Garcia	Rouson
Benacquisto	Gibson	Simmons
Book	Grimsley	Simpson
Bracy	Hukill	Stargel
Bradley	Hutson	Steube
Brandes	Lee	Stewart
Braynon	Mayfield	Taddeo
Broxson	Montford	Thurston
Campbell	Passidomo	Torres
Farmer	Perry	Young
Flores	Powell	
Gainer	Rader	

Nays—None

MOTIONS

On motion by Senator Braynon, the rules were waived and time of adjournment was extended until completion of the Bills on Third Reading Calendar, motions, and announcements.

CS for SB 654—A bill to be entitled An act relating to the Early Childhood Music Education Incentive Pilot Program; amending s. 1003.481, F.S.; extending the scheduled expiration of the pilot program; providing an effective date.

—was read the third time by title.

On motion by Senator Perry, **CS for SB 654** was passed and certified to the House. The vote on passage was:

Yeas—37

Baxley	Galvano	Rodriguez
Bean	Garcia	Rouson
Benacquisto	Gibson	Simmons
Book	Grimsley	Simpson
Bracy	Hukill	Stargel
Bradley	Hutson	Steube
Brandes	Lee	Stewart
Braynon	Mayfield	Taddeo
Broxson	Montford	Thurston
Campbell	Passidomo	Torres
Farmer	Perry	Young
Flores	Powell	
Gainer	Rader	

Nays—None

CS for CS for SB 710—A bill to be entitled An act relating to the Prescription Drug Donation Repository Program; creating s. 465.1902, F.S.; providing a short title; creating the Prescription Drug Donation Repository Program within the Department of Health; providing a purpose for the program; authorizing the department to contract with a third party to implement and administer the program; providing definitions; specifying entities that are eligible donors; providing criteria for eligible donations; prohibiting donations to specific patients; providing that certain prescription drugs eligible for return to stock must be credited to Medicaid under specified conditions and are not program eligible; prohibiting the donation of certain drugs pursuant to federal restrictions; authorizing repositories to refuse to accept donations of prescription drugs or supplies; providing inspection, inventory, and storage requirements for centralized and local repositories; requiring inspection of donated prescription drugs and supplies by a licensed pharmacist; requiring a local repository to notify the centralized repository within a specified timeframe after receiving a donation of prescription drugs or supplies; authorizing a centralized repository to redistribute prescription drugs or supplies; requiring local repositories to notify the department regarding participation in the program; providing conditions for dispensing donated prescription drugs and supplies to eligible patients; requiring repositories to establish a protocol for notifying recipients of a prescription drug recall; providing for destruction of donated prescription drugs in the event of a drug recall; providing recordkeeping requirements; requiring the department to establish, maintain, and publish a registry of participating local repositories and available donated prescription drugs and supplies; providing immunity from civil and criminal liability for participants under certain circumstances; specifying certain notice to patients; authorizing the department to establish a direct-support organization to provide assistance, funding, and promotional support for program activities; specifying direct-support organization purposes and objectives; prohibiting such direct-support organization from lobbying and specifying that such direct-support organization is not a lobbying firm; specifying that the direct-support organization must operate under contract with the department; specifying required contract terms; providing for the direct-support organization board of directors; specifying the membership of such board; specifying requirements relating to a direct-support organization's use of department property; specifying requirements for the deposit and use of funds by the direct-support organization; providing for annual audits of a direct-support organization; providing for future legislative review and repeal; requiring the department to adopt rules; amending s. 252.36, F.S.; authorizing the Governor to waive the patient eligibility requirements of s. 465.1902, F.S., during a declared state of emergency; providing an effective date.

—was read the third time by title.

On motion by Senator Book, **CS for CS for SB 710** was passed and certified to the House. The vote on passage was:

Yeas—37

Baxley	Bracy	Broxson
Bean	Bradley	Campbell
Benacquisto	Brandes	Farmer
Book	Braynon	Flores

Gainer	Montford	Stargel	Montford	Rouson	Taddeo
Galvano	Passidomo	Steube	Passidomo	Simmons	Thurston
Garcia	Perry	Stewart	Perry	Simpson	Torres
Gibson	Powell	Taddeo	Powell	Stargel	Young
Grimsley	Rader	Thurston	Rader	Steube	
Hukill	Rodriguez	Torres	Rodriguez	Stewart	
Hutson	Rouson	Young			
Lee	Simmons				
Mayfield	Simpson				

Nays—None

SB 674—A bill to be entitled An act relating to steroid use in racing greyhounds; amending s. 550.2415, F.S.; providing that a positive test result for anabolic steroids in certain samples taken from a greyhound violates the prohibition on the racing of animals that are impermissibly medicated or determined to have a prohibited substance present; providing an effective date.

—was read the third time by title.

On motion by Senator Young, **SB 674** was passed and certified to the House. The vote on passage was:

Yeas—31

Bean	Garcia	Rodriguez
Benacquisto	Gibson	Simmons
Book	Grimsley	Simpson
Bracy	Hukill	Stargel
Bradley	Hutson	Steube
Brandes	Lee	Stewart
Broxson	Mayfield	Taddeo
Farmer	Montford	Torres
Flores	Passidomo	Young
Gainer	Perry	
Galvano	Powell	

Nays—6

Baxley	Campbell	Rouson
Braynon	Rader	Thurston

CS for CS for SB 1018—A bill to be entitled An act relating to designation of eligible telecommunications carriers; amending s. 364.10, F.S.; revising the term “eligible telecommunications carrier”; authorizing the Public Service Commission to designate any commercial mobile radio service provider as an eligible telecommunications carrier for the purpose of providing Lifeline service; deleting a provision requiring carriers to allow subscribers to demonstrate continued eligibility for Lifeline service under certain conditions; requiring subscribers to furnish proof of eligibility upon request from the carrier or the Federal Communications Commission or its designee; revising the carriers that may provide Lifeline service; revising Lifeline service eligibility; deleting obsolete provisions; revising the entities with which the commission may exchange certain information; amending s. 364.107, F.S.; revising the entities to which certain information relating to Lifeline service eligibility may be released; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for CS for SB 1018** was passed and certified to the House. The vote on passage was:

Yeas—37

Baxley	Braynon	Garcia
Bean	Broxson	Gibson
Benacquisto	Campbell	Grimsley
Book	Farmer	Hukill
Bracy	Flores	Hutson
Bradley	Gainer	Lee
Brandes	Galvano	Mayfield

Nays—None

CS for SB 1528—A bill to be entitled An act relating to trust funds; creating s. 20.151, F.S.; creating the Historically Black Colleges and Universities Matching Endowment Scholarship Trust Fund within the Department of Education; providing for the purpose of the trust fund and source of funds; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Gibson, **CS for SB 1528** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—37

Baxley	Galvano	Rodriguez
Bean	Garcia	Rouson
Benacquisto	Gibson	Simmons
Book	Grimsley	Simpson
Bracy	Hukill	Stargel
Bradley	Hutson	Steube
Brandes	Lee	Stewart
Braynon	Mayfield	Taddeo
Broxson	Montford	Thurston
Campbell	Passidomo	Torres
Farmer	Perry	Young
Flores	Powell	
Gainer	Rader	

Nays—None

CS for SB 1552—A bill to be entitled An act relating to juvenile justice; amending s. 320.08058, F.S.; allowing the Department of Highway Safety and Motor Vehicles to distribute proceeds from the Invest in Children license plate annual use fee on a statewide basis; amending s. 985.03, F.S.; replacing the term “nonsecure detention” with the term “supervised release detention”; defining the term “supervised release detention”; amending ss. 985.037, 985.039, and 985.101, F.S.; conforming provisions to changes made by the act; amending s. 985.24, F.S.; deleting provisions authorizing the Department of Juvenile Justice to develop evening reporting centers; conforming provisions to changes made by the act; amending s. 985.245, F.S.; revising risk assessment instrument considerations; conforming provisions to changes made by the act; amending s. 985.25, F.S.; deleting a provision requiring mandatory detention for children taken into custody on three or more separate occasions within a 60-day period; amending s. 985.255, F.S.; revising the circumstances under which a continued detention status may be ordered; amending s. 985.26, F.S.; requiring the department to hold a prolific juvenile offender in secure detention pending a detention hearing following a violation of nonsecure detention; amending s. 985.26, F.S.; revising the definition of the term “disposition”; conforming provisions to changes made by the act; amending ss. 985.265 and 985.35, F.S.; conforming provisions to changes made by the act; amending s. 985.439, F.S.; deleting an authorization for placement of a child in a consequence unit in certain circumstances; allowing a child who violates conditions of probation to be detained or released based on the results of the detention risk assessment instrument; conforming provisions to changes made by the act; amending s. 985.557, F.S.; increasing the age of a child at which a state attorney may file an information against the child for prosecution as an adult; amending s. 985.601, F.S.; conforming provisions to changes made by the act; amending s. 985.672, F.S.; requiring the board of directors of the department’s direct-support organization to be appointed according to the organization’s bylaws; deleting the scheduled repeal of provisions gov-

erning the direct-support organization established by the department; providing effective dates.

—was read the third time by title.

On motion by Senator Bracy, **CS for SB 1552** was passed and certified to the House. The vote on passage was:

Yeas—36

Baxley	Gainer	Rader
Bean	Galvano	Rodriguez
Benacquisto	Garcia	Rouson
Book	Gibson	Simmons
Bracy	Hukill	Simpson
Bradley	Hutson	Stargel
Brandes	Lee	Steube
Braynon	Mayfield	Stewart
Broxson	Montford	Taddeo
Campbell	Passidomo	Thurston
Farmer	Perry	Torres
Flores	Powell	Young

Nays—1

Grimsley

SB 752—A bill to be entitled An act relating to specialty license plates; amending s. 320.08056, F.S.; establishing an annual use fee for the Childhood Cancer Awareness license plate; amending s. 320.08058, F.S.; requiring the Department of Highway Safety and Motor Vehicles to develop a Childhood Cancer Awareness license plate; providing for distribution and use of fees collected from the sale of the plates; providing an effective date.

—was read the third time by title.

On motion by Senator Mayfield, **SB 752** was passed and certified to the House. The vote on passage was:

Yeas—37

Baxley	Galvano	Rodriguez
Bean	Garcia	Rouson
Benacquisto	Gibson	Simmons
Book	Grimsley	Simpson
Bracy	Hukill	Stargel
Bradley	Hutson	Steube
Brandes	Lee	Stewart
Braynon	Mayfield	Taddeo
Broxson	Montford	Thurston
Campbell	Passidomo	Torres
Farmer	Perry	Young
Flores	Powell	
Gainer	Rader	

Nays—None

CS for CS for HB 1011—A bill to be entitled An act relating to homeowner’s insurance policy disclosures; amending s. 627.7011, F.S.; providing and revising homeowner’s insurance policy disclosure requirements; providing an effective date.

—was read the third time by title.

On motion by Senator Taddeo, **CS for CS for HB 1011** was passed and certified to the House. The vote on passage was:

Yeas—36

Baxley	Book	Braynon
Bean	Bracy	Broxson
Benacquisto	Brandes	Campbell

Farmer	Lee	Simmons
Flores	Mayfield	Simpson
Gainer	Montford	Stargel
Galvano	Passidomo	Steube
Garcia	Perry	Stewart
Gibson	Powell	Taddeo
Grimsley	Rader	Thurston
Hukill	Rodriguez	Torres
Hutson	Rouson	Young

Nays—None

Vote after roll call:

Yea—Bradley

SB 1424—A bill to be entitled An act relating to court-ordered treatment programs; amending s. 394.47891, F.S.; providing that veterans who were discharged or released under any condition, individuals who are current or former United States Department of Defense contractors, and individuals who are current or former military members of a foreign allied country are eligible in a certain Military Veterans and Servicemembers Court Program; amending s. 948.08, F.S.; authorizing a person who is charged with a certain felony and identified as a veteran who is discharged or released under any condition, an individual who is a current or former United States Department of Defense contractor, or an individual who is a current or former military member of a foreign allied country to be eligible for voluntary admission into a pretrial veterans’ treatment intervention program under certain circumstances; amending s. 948.16, F.S.; authorizing a veteran who is discharged or released under any condition, an individual who is a current or former United States Department of Defense contractor, or an individual who is a current or former military member of a foreign allied country and who is charged with a misdemeanor to be eligible for voluntary admission into a misdemeanor pretrial veterans’ treatment intervention program under certain circumstances; amending s. 948.21, F.S.; authorizing the court to impose a condition requiring a probationer or community controllee who is a veteran discharged or released under any condition, an individual who is a current or former United States Department of Defense contractor, or an individual who is a current or former military member of a foreign allied country to participate in a certain treatment program under certain circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Gainer, **SB 1424** was passed and certified to the House. The vote on passage was:

Yeas—37

Baxley	Galvano	Rodriguez
Bean	Garcia	Rouson
Benacquisto	Gibson	Simmons
Book	Grimsley	Simpson
Bracy	Hukill	Stargel
Bradley	Hutson	Steube
Brandes	Lee	Stewart
Braynon	Mayfield	Taddeo
Broxson	Montford	Thurston
Campbell	Passidomo	Torres
Farmer	Perry	Young
Flores	Powell	
Gainer	Rader	

Nays—None

CS for SB 566—A bill to be entitled An act relating to unlawful detention by a transient occupant; amending s. 82.045, F.S.; revising factors that establish a person as a transient occupant of residential property; specifying circumstances when a transient occupancy terminates; providing that a transient occupancy is not extended by the presence of personal belongings of a former transient occupant; requiring the party entitled to possession of a dwelling to allow a former

transient occupant to recover personal belongings at reasonable times and under reasonable conditions; specifying a reasonable time to recover personal belongings; authorizing a party entitled to possession of the dwelling, under certain circumstances, to impose additional conditions on access to the dwelling or personal belongings; providing a presumption of when a former transient occupant has abandoned his or her personal belongings; providing circumstances in which the period for recovering personal belongings may be extended or shortened; authorizing a former transient occupant, under certain circumstances, to bring a civil action for damages or recovery of personal belongings; requiring a court to award the prevailing party reasonable attorney fees and costs; providing construction; providing an effective date.

—was read the third time by title.

On motion by Senator Young, **CS for SB 566** was passed and certified to the House. The vote on passage was:

Yeas—37

Baxley	Galvano	Rodriguez
Bean	Garcia	Rouson
Benacquisto	Gibson	Simmons
Book	Grimsley	Simpson
Bracy	Hukill	Stargel
Bradley	Hutson	Steube
Brandes	Lee	Stewart
Braynon	Mayfield	Taddeo
Broxson	Montford	Thurston
Campbell	Passidomo	Torres
Farmer	Perry	Young
Flores	Powell	
Gainer	Rader	

Nays—None

SB 1248—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; directing the Department of Highway Safety and Motor Vehicles to develop a Coastal Conservation Association license plate; establishing an annual use fee for the plate; providing for distribution and use of fees collected from the sale of the plates; revising the distribution and use of the proceeds for the Live the Dream license plate; requiring, by a specified date, the annual use fees withheld by the department from the sale of the Live the Dream specialty license plate to be used first to satisfy all outstanding royalty payments due to The Martin Luther King, Jr. Center for Nonviolent Social Change, Inc., for the use of the image of Dr. Martin Luther King, Jr.; requiring all remaining funds to be distributed to the subrecipients on a pro rata basis according to the percentages specified in s. 320.08058(48), F.S.; providing an effective date.

—as amended March 1, was read the third time by title.

On motion by Senator Gainer, **SB 1248**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—37

Baxley	Galvano	Rodriguez
Bean	Garcia	Rouson
Benacquisto	Gibson	Simmons
Book	Grimsley	Simpson
Bracy	Hukill	Stargel
Bradley	Hutson	Steube
Brandes	Lee	Stewart
Braynon	Mayfield	Taddeo
Broxson	Montford	Thurston
Campbell	Passidomo	Torres
Farmer	Perry	Young
Flores	Powell	
Gainer	Rader	

Nays—None

CS for SB 160—A bill to be entitled An act relating to specialty license plates; amending s. 320.08056, F.S.; deleting the annual use fee for the Donate Organs-Pass It On license plate; establishing an annual use fee for certain specialty license plates; conforming cross-references; amending s. 320.08058, F.S.; revising the design of the Special Olympics Florida license plate; deleting the Donate Organs-Pass It On license plate; revising the design of the Lighthouse Association license plate; revising the use of fees for the In God We Trust license plates; revising the distribution of proceeds for the Fallen Law Enforcement Officers license plate; requiring the Department of Highway Safety and Motor Vehicles to develop certain specialty license plates; providing for distribution and use of fees collected from the sale of such plates; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for SB 160** was passed and certified to the House. The vote on passage was:

Yeas—36

Baxley	Gainer	Powell
Bean	Galvano	Rader
Benacquisto	Garcia	Rodriguez
Book	Gibson	Rouson
Bracy	Grimsley	Simmons
Bradley	Hukill	Simpson
Brandes	Hutson	Steube
Braynon	Lee	Stewart
Broxson	Mayfield	Taddeo
Campbell	Montford	Thurston
Farmer	Passidomo	Torres
Flores	Perry	Young

Nays—None

Vote after roll call:

Yea—Stargel

MOTIONS

On motion by Senator Braynon, the rules were waived and all bills temporarily postponed and remaining on the Special Order Calendar this day were retained on the Special Order Calendar for Monday, March 5, 2018, except **CS for SB 7026**, **SB 7024**, and **SB 1940** which were retained on the Special Order Calendar for Saturday, March 3, 2018.

On motion by Senator Braynon, the rules were waived and a deadline of one hour after the availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Monday, March 5, 2018.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Friday, March 2, 2018: SB 1340, CS for SB 1342, SB 1344, SB 1346, CS for HB 7055, CS for SB 1884, CS for CS for SB 1804, HJR 7001, SB 7028, SB 1940, CS for CS for SB 376, CS for CS for SB 520, CS for CS for CS for SB 1876, CS for CS for SB 622, CS for CS for CS for SB 920, CS for CS for CS for SB 616.

Respectfully submitted,
Lizbeth Benacquisto, Rules Chair
Wilton Simpson, Majority Leader
Oscar Braynon II, Minority Leader

The Committee on Appropriations recommends the following pass: SB 1712; SB 7028; SB 7030

The Committee on Rules recommends the following pass: CS for SB 28; CS for SB 260; CS for CS for CS for SB 296; SB 358; CS for CS for SB 536; SB 582; SB 640; CS for SB 662; SB 720; CS for CS for SB 762; CS

for SB 776; CS for SJR 792; CS for SB 808; CS for SB 820; SB 870; SB 922; CS for SB 1042; SB 1094; CS for CS for SB 1220; CS for SB 1226; CS for CS for SB 1244; CS for CS for SB 1262; SB 1302; CS for SB 1348; CS for SB 1364; CS for SB 1460; SB 1562; SB 7010; SB 7012; SB 7018; HB 7045

The bills were placed on the Calendar.

The Committee on Appropriations recommends committee substitutes for the following: SB 992; SB 1318; CS for SB 1646

The Committee on Rules recommends committee substitutes for the following: SB 266; SB 756; SB 804; SB 806; CS for CS for SB 822; CS for SB 918; CS for CS for SB 1134; SB 1426; SB 1862; CS for CS for SB 1880; SB 7008

The bills with committee substitute attached were placed on the Calendar.

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Rules recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Public Service Commission	
Appointees: Clark, Gary F.	01/01/2019
Fay, Andrew	01/01/2022
Graham, Art	01/01/2022

The appointments were referred to the Committee on Ethics and Elections under the original reference.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Rules; and Senator Passidomo—

CS for SB 266—A bill to be entitled An act relating to covenants and restrictions; creating s. 712.001, F.S.; providing a short title; amending s. 712.01, F.S.; defining and redefining terms; amending s. 712.05, F.S.; revising the notice filing requirements for a person claiming an interest in land and other rights; authorizing a property owners’ association to preserve and protect certain covenants or restrictions from extinguishment, subject to specified requirements; providing that a failure in indexing does not affect the validity of the notice; extending the length of time certain covenants or restrictions are preserved; deleting a provision requiring a two-thirds vote by members of an incorporated homeowners’ association to file certain notices; providing that a property owners’ association or clerk of the circuit court is not required to provide certain additional notice for a specified notice that is filed; conforming provisions to changes made by the act; amending s. 712.06, F.S.; exempting a specified summary notice and amendment from certain notice content requirements; revising the contents required to be specified by certain notices; conforming provisions to changes made by the act; amending s. 712.11, F.S.; conforming provisions to changes made by the act; creating s. 712.12, F.S.; defining terms; authorizing the parcel owners of a community not subject to a homeowners’ association to use specified procedures to revive certain covenants or restrictions, subject to certain exceptions and requirements; authorizing a parcel owner to commence an action by a specified date under certain circumstances for a judicial determination that the covenants or restrictions did not govern that parcel as of a specified date and that any revitalization of such covenants or restrictions as to that parcel would unconstitutionally deprive the parcel owner of rights or property; providing applicability; amending s. 720.303, F.S.; requiring a board to take up certain provisions relating to notice filings at the first board meeting; creating s. 720.3032, F.S.; requiring any property owners’ association desiring to preserve covenants from potential termination

after a specified period by certain operation to record in the official records of each county in which the community is located a notice subject to certain requirements; providing a document form for recording by an association to preserve certain covenants or restrictions; requiring a copy of the filed notice to be sent to all members; requiring the original signed notice to be recorded with the clerk of the circuit court or other recorder; amending ss. 702.09 and 702.10, F.S.; conforming provisions to changes made by the act; amending s. 712.095, F.S.; conforming a cross-reference; amending ss. 720.403, 720.404, 720.405, and 720.407, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Rules; and Senator Grimsley—

CS for SB 756—A bill to be entitled An act relating to unfair insurance trade practices; amending s. 626.9541, F.S.; authorizing insurers to refuse to insure or refuse to continue to insure an applicant or insured for failing to purchase certain noninsurance motor vehicle services; providing an effective date.

By the Committee on Rules; and Senator Passidomo—

CS for SB 804—A bill to be entitled An act relating to the possession of real property; amending s. 66.021, F.S.; authorizing a person with a superior right to possession of real property to recover possession by ejectment; declaring that circuit courts have exclusive jurisdiction; providing that a plaintiff is not required to provide any presuit notice or demand to a defendant; requiring that copies of instruments be attached to a complaint or answer under certain circumstances; requiring a statement to list certain details; providing for construction; amending s. 82.01, F.S.; redefining the terms “unlawful entry” and “forcible entry”; defining the terms “real property,” “record titleholder,” and “unlawful detention”; amending s. 82.02, F.S.; exempting possession of real property under part II of ch. 83, F.S., and under chs. 513 and 723, F.S.; amending s. 82.03, F.S.; providing that a person entitled to possession of real property has a cause of action to regain possession from another person who obtained possession of real property by forcible entry, unlawful entry, or unlawful detainer; providing that a person entitled to possession is not required to give a defendant presuit notice; requiring the court to award plaintiff extra damages if a defendant acted in a willful and knowingly wrongful manner; authorizing bifurcation of actions for possession and damages; requiring that an action be brought by summary procedure; requiring the court to advance the cause on the calendar; transferring, renumbering, and amending s. 82.045, F.S.; conforming provisions to changes made by the act; amending s. 82.04, F.S.; requiring that the court determine the right of possession and damages; prohibiting the court from determining question of title unless necessary; amending s. 82.05, F.S.; requiring that the summons and complaint be attached to the real property after two unsuccessful attempts to serve a defendant; requiring a plaintiff to provide the clerk of the court with prestamped envelopes and additional copies of the summons and complaint if the defendant is served by attaching the summons and complaint to the real property; requiring the clerk to immediately mail copies of the summons and complaint and note the fact of mailing in the docket; specifying that service is effective on the date of posting or mailing; requiring that 5 days elapse from the date of service before the entry of a judgment; amending s. 82.091, F.S.; providing requirements after a judgment is entered for the plaintiff or the defendant; amending s. 82.101, F.S.; adding quiet title to the types of future actions for which a judgment is not conclusive as to certain facts; providing that the judgment may be superseded by a subsequent judgment; creating s. 163.035, F.S.; defining the term “governmental entity”; prohibiting a governmental entity from adopting or keeping in effect certain ordinances and rules based upon customary use; providing an exception; requiring a governmental entity seeking to affirm the existence of a recreational customary use on private property to follow certain procedures; providing notice requirements for a governmental entity seeking to affirm such recreational customary use; requiring the governmental entity to file a specified complaint with a certain circuit court within a certain time; providing notice requirements for the filing of such complaint; specifying that proceedings resulting from such complaint are de novo; requiring the court to consider specific factors when determining whether a recreational customary use exists; specifying that the governmental entity has the burden of proof; specifying that an owner of a parcel of property subject to the complaint has the

right to intervene in the proceeding; providing applicability; repealing s. 82.061, F.S., relating to service of process; repealing s. 82.071, F.S., relating to evidence at trial as to damages; repealing s. 82.081, F.S., relating to trial verdict forms; providing an effective date.

By the Committee on Rules; and Senator Baxley—

CS for SB 806—A bill to be entitled An act relating to water management district surplus lands; amending s. 373.089, F.S.; requiring a water management district to publish its notice of intention to sell surplus lands on its website; revising the circumstances when a water management district must publish its intention to sell surplus lands; revising the process for selling certain lower valued surplus lands; defining the term “adjacent property owners”; providing an effective date.

By the Committees on Rules; Commerce and Tourism; and Regulated Industries; and Senator Hutson—

CS for CS for CS for SB 822—A bill to be entitled An act relating to the Beverage Law; amending s. 561.42, F.S.; prohibiting certain entities and persons from directly or indirectly assisting any vendor in certain ways; prohibiting a licensed vendor from accepting certain items and services; authorizing the Division of Alcoholic Beverages and Tobacco to impose administrative sanctions for a violation of certain limitations established in the Beverage Law; prohibiting a vendor from displaying certain signs in the window or windows of his or her licensed premises; authorizing certain entities and persons to give, lend, furnish, or sell certain advertising material to certain vendors; defining the term “decalcomania”; providing exemptions relating to tied house evil for certain sales and purchases of merchandise; providing conditions for the exemptions; defining the term “merchandise”; prohibiting a manufacturer or importer of malt beverages from soliciting or receiving any portion of certain payments from its distributors; defining the term “negotiated at arm’s length”; specifying that a brand-naming rights agreement does not obligate or place responsibility upon a distributor; providing civil penalties for violations by manufacturers or importers of malt beverages or vendors; providing applicability; prohibiting the division from imposing certain civil penalties that are greater than the financial value of a brand-naming rights agreement; providing an effective date.

By the Committees on Rules; and Judiciary; and Senator Grimsley—

CS for CS for SB 918—A bill to be entitled An act relating to clerks of the court; repealing s. 43.19, F.S., relating to the disposition of certain money paid into a court which is unclaimed; amending s. 45.031, F.S.; revising the time periods within which certain persons must file claims for certain unclaimed surplus funds; amending s. 45.032, F.S.; deleting provisions defining and specifying the powers of a “surplus trustee”; specifying procedures for the clerk to use in handling surpluses that remain unclaimed; specifying the entities eligible for the surplus once the funds have been remitted to the Department of Financial Services; conforming provisions to changes made by the act; amending s. 45.033, F.S.; conforming a provision to changes made by the act; repealing s. 45.034, F.S., relating to qualifications and appointment of a surplus trustee in foreclosure actions; amending s. 45.035, F.S.; revising service charges that a clerk may receive and deduct from surplus amounts; amending s. 318.1451, F.S.; requiring all driver improvement course providers to transmit, within a specified timeframe, the individual completion certificate and citation number through the Florida Courts E-Filing Portal governed by the Florida Courts E-Filing Authority to the clerk of the circuit court in the county where the citation was issued; amending s. 717.113, F.S.; providing that certain funds remaining after a judicial sale and held in a court registry are not payable or distributable and are not subject to certain reporting requirements; amending ss. 717.124, 717.138, and 717.1401, F.S.; conforming cross-references; providing an effective date.

By the Committee on Appropriations; and Senator Book—

CS for SB 992—A bill to be entitled An act relating to the C-51 reservoir project; amending s. 373.4598, F.S.; revising requirements relating to the operation of water storage and use for Phase I and Phase II of the C-51 reservoir project if state funds are appropriated for such

phases; authorizing the South Florida Water Management District to enter into certain capacity allocation agreements and to request a waiver for repayment of certain loans; authorizing the Department of Environmental Protection to waive such loan repayment under certain conditions; specifying that the district is not responsible for repayment of such waived loans; providing an effective date.

By the Committees on Rules; Appropriations; and Health Policy; and Senators Rouson, Bradley, and Young—

CS for CS for CS for SB 1134—A bill to be entitled An act relating to Department of Health responsibilities related to the medical use of marijuana; amending s. 381.986, F.S.; deleting an obsolete date; revising a requirement that the department license one applicant who is a member of a certain class to exclude a requirement that the applicant also be a member of the Black Farmers and Agriculturalist Association-Florida Chapter; providing an effective date.

By the Committee on Appropriations; and Senator Rouson—

CS for SB 1318—A bill to be entitled An act relating to licensing and training; amending s. 120.565, F.S.; authorizing a person to seek a declaratory statement from an agency as to the effect of the person’s criminal background on his or her eligibility for certain licenses, registrations, or certificates; specifying that a person may seek a declaratory statement before meeting any prerequisites for the license, registration, or certification; requiring that an agency’s conclusion in the declaratory statement contain certain statements; providing that the agency’s conclusion is binding, except under certain circumstances; requiring a person seeking a declaratory statement to submit certain items to the agency and pay certain fees and costs; providing requirements for the processing of fingerprints; requiring the petitioner to pay the actual cost of processing the fingerprints; amending s. 455.213, F.S.; requiring the board to use a specified process for the review of an applicant’s criminal record to determine the applicant’s eligibility for certain licenses; prohibiting the conviction of a crime before a specified date from being grounds for the denial of certain licenses; providing exceptions; defining the term “conviction”; authorizing a person to apply for a license before his or her lawful release from confinement or supervision; prohibiting additional fees for an applicant confined or under supervision; prohibiting the board from basing a denial of a license application solely on the applicant’s current confinement or supervision; authorizing the board to stay the issuance of an approved license under certain circumstances; requiring the board to verify an applicant’s release with the Department of Corrections; providing requirements for the appearance of certain applicants at certain meetings; requiring the board to adopt rules specifying how certain crimes affect an applicant’s eligibility for licensure; amending s. 464.203, F.S.; prohibiting the conviction of a crime before a specified date from being grounds for the denial of a certification under certain circumstances; prohibiting the conviction of a crime before a specified date from being grounds for the failure of a background screening; authorizing a person to apply for certification before his or her lawful release from confinement or supervision; prohibiting additional fees for an applicant confined or under supervision; prohibiting the board from basing the denial of a certification solely on the applicant’s current confinement or supervision; authorizing the board to stay the issuance of an approved certificate under certain circumstances; requiring the board to verify an applicant’s release with the Department of Corrections; providing requirements for the appearance of certain applicants at certain meetings; requiring the board to adopt rules specifying how certain crimes may affect an applicant’s eligibility for certification; amending s. 400.211, F.S.; conforming a cross-reference; amending s. 944.801, F.S.; authorizing the Department of Corrections to contract with certain entities to provide educational services for the Correctional Education Program; amending s. 951.176, F.S.; authorizing each county to contract with certain entities to provide educational services for county inmates; amending ss. 1011.80 and 1011.81, F.S.; removing provisions prohibiting state funds for the operation of postsecondary workforce programs and funds for the Florida College System Program Fund, respectively, from being used for the education of certain state inmates; amending s. 1011.84, F.S.; conforming a provision to changes made by the act; providing an effective date.

By the Committee on Rules; and Senator Lee—

CS for SB 1426—A bill to be entitled An act relating to local government fiscal affairs; amending s. 11.40, F.S.; expanding the scope of the Legislative Auditing Committee review to include compliance with local government fiscal transparency requirements; amending s. 11.45, F.S.; providing procedures for the Auditor General and local governments to comply with the local government fiscal transparency requirements; amending s. 125.045, F.S.; revising reporting requirements for certain county economic development incentives; amending ss. 129.03 and 129.06, F.S.; requiring counties to maintain certain budget documents on their websites for a specified period; amending s. 166.021, F.S.; revising reporting requirements for certain municipality economic development incentives; amending s. 166.241, F.S.; requiring municipalities to maintain certain budget documents on their websites for a specified period; transferring and renumbering s. 218.80, F.S.; creating part VIII of ch. 218, F.S., consisting of ss. 218.801, 218.803, 218.805, 218.81, 218.82, 218.83, 218.84, 218.88, and 218.89, F.S.; providing a short title; specifying the purpose of the local government fiscal transparency requirements; providing definitions; requiring local governments to post certain voting record information on their websites; requiring the posting of specified links to related sites if certain documentation or details are available; requiring property appraisers to post certain property tax information and history on their websites; requiring local governments to post certain property tax information and history on their websites; requiring public notices for public hearings and meetings before certain increases of local government tax levies or the issuance of new tax-supported debt; specifying noticing and advertising requirements for such public hearings and meetings; requiring local governments to conduct certain debt affordability analyses under specified conditions; requiring audits of financial statements of local governments to be accompanied by an affidavit signed by the chair of the local government governing board; requiring certain information to be included in affidavits filed with the Auditor General; providing a method for local governments that do not operate a website to post certain required information; amending s. 218.32, F.S.; conforming a cross-reference; providing that this act fulfills an important state interest; providing an effective date.

By the Committees on Appropriations; and Commerce and Tourism; and Senators Montford and Gainer—

CS for CS for SB 1646—A bill to be entitled An act relating to regional rural development grants; amending s. 288.018, F.S.; providing that regional rural development grants may be used to hire regional economic development organization professional staff; authorizing the use of matching grant funds to provide technical assistance to certain entities; increasing the annual maximum amount of grant funding that specified economic development organizations may receive; revising the amount of nonstate matching funds required; increasing the amount the Department of Economic Opportunity may expend each fiscal year for the program; requiring that contracts or agreements involving the expenditure of grant funds be placed on a certain website for a specified time period; requiring that certain information be included in a contract or agreement involving the expenditure of grant funds; requiring that a plain language version of certain contracts or agreements be placed on a certain website; deleting an obsolete provision authorizing the Department of Economic Opportunity to contract for the development of certain enterprise zone web portals or websites; amending s. 288.0655, F.S.; increasing the maximum percent of total infrastructure project costs for which the department may award a grant; repealing a provision for increased maximum percent of total infrastructure project costs that may be awarded for a catalyst site; providing that improving access to and availability of broadband Internet service may be included in a project that is eligible for rural infrastructure grant funds; providing that grants for improvements to broadband Internet service and access must be conducted through certain partnerships; extending the date by which the department is required to reevaluate certain guidelines and criteria; requiring that contracts or agreements involving the expenditure of grant funds be placed on a certain website for a specified time period; requiring that certain information be included in a contract or agreement involving the expenditure of grant funds; requiring that a plain language version of certain contracts or agreements be placed on a certain website; requiring the department to review best practices and methods and make recommendations to establish a site readiness program for rural communities; requiring the department to identify cer-

tain requirements and standards and provide options for the implementation of the program; requiring the department to submit a report of its findings to the Legislature by a specified date; providing an effective date.

By the Committee on Rules; and Senator Broxson—

CS for SB 1862—A bill to be entitled An act relating to the Physician Fee Sharing Task Force; creating s. 456.0541, F.S.; establishing the Physician Fee Sharing Task Force within the Department of Health; providing for duties, membership, and meetings of the task force; requiring a report to the Governor and Legislature by a specified date; providing for expiration of the task force; providing an effective date.

By the Committees on Rules; Governmental Oversight and Accountability; and Banking and Insurance; and Senators Broxson and Mayfield—

CS for CS for CS for SB 1880—A bill to be entitled An act relating to public records and public meetings; creating s. 627.352, F.S.; providing an exemption from public records requirements for certain records held by the Citizens Property Insurance Corporation which identify detection, investigation, or response practices for suspected or confirmed information technology security incidents; creating an exemption from public records requirements for certain portions of risk assessments, evaluations, audits, and other reports of the corporation's information technology security program; creating an exemption from public meetings requirements for portions of public meetings which would reveal such data and information; providing an exemption from public records requirements for a specified period for the recording and transcript of a closed meeting; authorizing disclosure of confidential and exempt information to certain agencies and officers; providing for future legislative review and repeal; providing a statement of public necessity; providing retroactive application; providing a directive to the Division of Law Revision and Information; providing an effective date.

By the Committees on Rules; and Communications, Energy, and Public Utilities—

CS for SB 7008—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.0713, F.S., which provides an exemption from public records requirements for proprietary confidential business information held by a local government electric utility; conforming a cross-reference; redefining the term "proprietary confidential business information" to narrow the exemption; defining the term "trade secrets"; removing the scheduled repeal of the exemption; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committees on Appropriations; and Criminal Justice; and Senators Steube and Baxley—

CS for CS for SB 310—A bill to be entitled An act relating to threats to kill or do great bodily injury; amending s. 836.10, F.S.; prohibiting a person from making a threat to kill or do great bodily injury in a writing or other record and transmitting that threat in any manner that would allow another person to view the threat; deleting requirements that a threat be sent to a specific recipient to be prohibited; revising a criminal penalty; exempting certain providers of services from liability; amending s. 921.0022, F.S.; revising the ranking of the offense of making written threats to kill or do great bodily injury on the offense severity ranking chart of the Criminal Punishment Code; reenacting ss. 794.056(1) and 938.085, F.S., relating to the Rape Crisis Program Trust Fund and additional cost to fund rape crisis centers, respectively, to incorporate the amendments made to s. 836.10, F.S., in references thereto; providing an effective date.

—was placed on the Calendar.

EXECUTIVE BUSINESS

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Greater Orlando Aviation Authority	
Appointees: Montalvo, Maria "Maggi," Oviedo	04/16/2020
Sanchez, Domingo, Kissimmee	04/16/2020
Florida Building Code Administrators and Inspectors Board	
Appointee: Jones, Peter W., Port St. Lucie	10/31/2021
Florida Building Commission	
Appointee: Langille, Brian, Palm Harbor	06/30/2021
Florida Commission on Community Service	
Appointees: O'Connell, Cynthia F., Tallahassee	09/14/2020
Towler, Susan, Jacksonville	09/14/2019
Villamil, Christina Bonarrigo, Coral Gables	09/14/2018
Board of Trustees of Florida SouthWestern State College	
Appointee: Boose, Michael, Naples	05/31/2021
Board of Trustees of Florida State College at Jacksonville	
Appointee: Young, Orrin Wayne, Jacksonville	05/31/2021
Board of Trustees of Miami-Dade College	
Appointee: Zapata, Juan C., Miami	05/31/2021
Board of Trustees of Northwest Florida State College	
Appointee: Flynt, Charlotte Ann, Miramar Beach	05/31/2018
Board of Trustees of Polk State College	
Appointees: Barnett, Ashley B., Winter Haven	05/31/2019
Ross, Cynthia Hartley, Lakeland	05/31/2021
Board of Trustees of South Florida State College	
Appointee: Kirschner, Louis H., Arcadia	05/31/2021
Construction Industry Licensing Board	
Appointees: Donovan, Brian T., Crystal River	10/31/2021
Maphis, Robert Lewis, III, Windermere	10/31/2021
Board of Professional Engineers	
Appointees: Albergo, Dylan, Tampa	10/31/2021
Drury, Scott R., Tallahassee	10/31/2021
Board of Hearing Aid Specialists	
Appointee: Fischer, John E., Tallahassee	10/31/2018
Higher Educational Facilities Financing Authority	
Appointee: Hooker, John David, II, Gainesville	01/17/2023
Board of Nursing	
Appointee: Talmadge, Mary Julie, Gotha	10/31/2020
Board of Pilot Commissioners	
Appointee: Kurtz, Carolyn J., Tampa	10/31/2021

Referred to the Committee on Ethics and Elections.

FIRST READING

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 307 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Civil Justice & Claims Subcommittee and Representative(s) Antone, Peters—

CS for HB 307—A bill to be entitled An act relating to the Florida Commission on Human Relations; amending s. 760.03, F.S.; providing quorum requirements for the Commission on Human Relations and its panels; amending s. 760.065, F.S.; revising the number of persons the commission may recommend for the Florida Civil Rights Hall of Fame; amending s. 760.11, F.S.; requiring the commission to provide notice to an aggrieved person under specified circumstances; providing notice requirements; providing a limitation on the time a civil action may be filed after an alleged violation of the Florida Civil Rights Act; amending s. 760.29, F.S.; deleting a requirement that a facility or community that provides housing for older persons register with and submit a letter to the commission; amending s. 760.31, F.S.; conforming a provision; amending s. 760.60, F.S.; deleting the requirement for the commission or Attorney General to investigate a complaint of discrimination in evaluating an application for club membership; revising the length of time the commission or Attorney General has to resolve such a complaint; amending s. 112.31895, F.S.; revising the timeline relating to a complaint alleging a prohibited personnel action; deleting a requirement that the commission notify a complainant upon receipt of the complaint; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Judiciary; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 361 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Criminal Justice Subcommittee and Representative(s) Richardson, Stafford, Alexander, Edwards-Walpole, Geller, Pritchett, Spano—

CS for HB 361—A bill to be entitled An act relating to persons authorized to visit juvenile facilities; creating s. 985.6885, F.S.; authorizing specified persons to visit, during certain hours, all facilities housing juveniles which are operated or overseen by the Department of Juvenile Justice or a county; authorizing such persons to visit the juvenile facilities outside of certain hours pursuant to department rules; prohibiting the department from unreasonably withholding permission for visits to such facilities by certain persons; requiring the department to adopt rules; providing an effective date.

—was referred to the Committees on Criminal Justice; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 471 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Justice Appropriations Subcommittee and Representative(s) Yarborough, Gonzalez, Peters—

CS for HB 471—A bill to be entitled An act relating to unmanned aircraft; amending s. 330.41, F.S.; redefining the term "critical infrastructure facility"; amending s. 934.50, F.S.; authorizing the use of a drone if a law enforcement agency possesses reasonable suspicion that, under particular circumstances, swift action is needed to facilitate the

collection of evidence at a crime scene or traffic crash scene; authorizing the use of a drone by a local or state agency when used in the assessment of damage, flood state, wildfire, or land management, or the monitoring and collection of scientific or marketing data; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 523 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Cortes, B.—

HB 523—A bill to be entitled An act relating to trespass on airport property; amending s. 810.09, F.S.; providing enhanced criminal penalties for a trespass upon the operational area of an airport with specified intent if specified signage is posted; providing a definition; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 565 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Education Committee and Representative(s) Mariano—

CS for HB 565—A bill to be entitled An act relating to excess credit hour surcharges; amending s. 1009.286, F.S.; requiring a state university to return a specified amount of assessed excess credit hour surcharges to first-time-in-college students who meet certain requirements; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Higher Education; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 581 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Criminal Justice Subcommittee and Representative(s) Latvala, Fitzenhagen, Moskowitz, Rommel, Slosberg, Spano—

CS for HB 581—A bill to be entitled An act relating to subpoenas in investigations of sexual offenses; creating s. 934.255, F.S.; defining terms; authorizing an investigative or law enforcement officer conducting an investigation into specified matters to subpoena certain persons or entities for the production of records, documents, or other tangible things and testimony; specifying requirements for the issuance of a subpoena; authorizing a subpoenaed person to petition a court for an order modifying or setting aside the subpoena or a prohibition on disclosure; authorizing an investigative or law enforcement officer to retain subpoenaed records, documents, or other tangible objects under certain circumstances; prohibiting the disclosure of a subpoena for a specified period if the disclosure might result in an adverse result; providing exceptions; specifying the acts that constitute an adverse result; requiring the investigative or law enforcement officer to maintain a true copy of a written certification; authorizing a court to grant extension of certain periods under certain circumstances; requiring an investigative or law enforcement officer to serve or deliver a copy of the process along with specified information upon the expiration of a non-disclosure period or delay of notification; authorizing an investigative or law enforcement officer to apply to a court for an order prohibiting certain entities from notifying any person of the existence of a subpoena

under certain circumstances; authorizing an investigative or law enforcement officer to petition a court to compel compliance; authorizing a court to punish a person who does not comply with a subpoena as indirect criminal contempt; providing criminal penalties; precluding a cause of action against certain entities or persons for providing information, facilities, or assistance in accordance with terms of a subpoena; providing for preservation of evidence pending issuance of process; providing that certain entities or persons shall be held harmless from any claim and civil liability resulting from disclosure of specified information; providing for reasonable compensation for reasonable expenses incurred in providing assistance; requiring that a subpoenaed witness be paid certain fees and mileage; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 591, as amended, and requests the concurrence of the Senate.

Portia Palmer, Clerk

By PreK-12 Appropriations Subcommittee, Criminal Justice Subcommittee and Representative(s) Porter, Cortes, B., Cortes, J., Edwards-Walpole, Geller, Killebrew, Lee, McClure, Mercado, Plasencia, Willhite, Yarborough—

CS for CS for HB 591—A bill to be entitled An act relating to missing persons; amending s. 683.231, F.S.; making technical changes; abrogating the scheduled repeal of provisions governing the citizen support organization for Florida Missing Children's Day; amending s. 937.041, F.S.; expanding a project for missing persons with special needs to all centers for autism and related disabilities at state universities; revising requirements for personal devices used in the project; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Higher Education; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 693 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Children, Families & Seniors Subcommittee and Representative(s) White—

CS for HB 693—A bill to be entitled An act relating to family self-sufficiency; amending ss. 414.14 and 414.175, F.S.; authorizing changes to public assistance policy and federal food assistance waivers to conform to federal law and simplify administration unless such changes increase program eligibility standards; creating s. 414.315, F.S.; requiring the Department of Children and Families to impose a resource limit for households receiving food assistance, subject to federal approval; requiring legislative authorization for expanding resource eligibility under certain circumstances; providing applicability; creating s. 414.393, F.S.; requiring the department to implement asset verification to verify eligibility for public assistance; amending s. 445.004, F.S.; requiring CareerSource Florida, Inc., to include certain data relating to the performance outcomes of local workforce development boards and associated pilot programs in an annual report to the Governor and Legislature; providing legislative findings; providing definitions; requiring CareerSource Florida, Inc., to contract with a vendor to develop a pilot program to increase employment among certain persons receiving temporary cash assistance by a specified date; providing criteria for selecting a vendor; providing criteria for selecting local workforce boards to conduct the pilot program; requiring CareerSource Florida, Inc., to submit a comprehensive report on the outcome of the pilot program to the Governor and Legislature by a specified date; providing appropriations; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Commerce and Tourism; Appropriations Subcommittee on Health and Human Services; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 707 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Oversight, Transparency & Administration Subcommittee and Representative(s) Jenne, Edwards-Walpole, Shaw—

CS for HB 707—A bill to be entitled An act relating to campaign finance; amending s. 106.08, F.S.; prohibiting the Governor, the Lieutenant Governor, or a member of the Cabinet from soliciting or accepting contributions during a regular, extended, or special legislative session; providing that a member of the Legislature is bound by the rules of his or her respective house; providing penalties; providing an effective date.

—was referred to the Committees on Ethics and Elections; Governmental Oversight and Accountability; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 733, as amended, and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Sullivan—

HB 733—A bill to be entitled An act relating to contraband in county detention facilities; amending s. 951.22, F.S.; prohibiting introduction into or possession on the grounds of any county detention facility of any cellular telephone or other portable communication device; defining the term "portable communication device"; providing criminal penalties; amending s. 921.0022, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 851 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Commerce Committee, Agriculture & Property Rights Subcommittee and Representative(s) Olszewski, Killebrew—

CS for CS for HB 851—A bill to be entitled An act relating to lost or abandoned personal property; amending s. 705.17, F.S.; providing that certain provisions relating to lost or abandoned property do not apply to personal property lost or abandoned on the premises of certain complexes or facilities if certain conditions are met; creating s. 705.185, F.S.; providing for the disposal or donation of personal property lost or abandoned on the premises of certain complexes or facilities in certain circumstances; authorizing the rightful owner of such lost or abandoned personal property to reclaim such property before disposal or donation; requiring a charitable institution to make a reasonable effort to delete certain information from an electronic device in certain circumstances; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Banking and Insurance; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 853 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Civil Justice & Claims Subcommittee and Representative(s) Davis, Peters, Shaw—

CS for HB 853—A bill to be entitled An act relating to housing discrimination; amending s. 760.07, F.S.; removing housing discrimination as a cause of action for certain relief and damages stemming from violations of the Florida Civil Rights Act of 1992; amending s. 760.34, F.S.; revising the conditions under which an aggrieved person may commence a civil action in any appropriate court against a specified respondent to enforce specified rights; providing that an aggrieved person does not need to take specified actions before bringing a civil action; making technical changes; amending s. 760.35, F.S.; authorizing, rather than requiring, a civil action to commence within 2 years after an alleged discriminatory housing practice; authorizing an aggrieved person to commence a civil action regardless of whether a specified complaint has been filed and regardless of the status of any such complaint; prohibiting an aggrieved person from filing a specified action in certain circumstances; providing an exception; prohibiting an aggrieved person from commencing a specified civil action if an administrative law judge has commenced a hearing on the record on the allegation; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 887 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Harrell, Lee—

HB 887—A bill to be entitled An act relating to reading instruction; amending s. 1011.62, F.S.; requiring K-12 comprehensive reading plans to provide for intensive reading interventions that are delivered by teachers who meet certain criteria beginning with a specified school year; providing requirements for such interventions; amending s. 1012.586, F.S.; requiring the Department of Education to consider the award of endorsements for a teaching certificate to individuals who hold specified certifications or who complete specified programs that meet certain criteria in a specified review; amending s. 1012.98, F.S.; requiring school districts to provide access to training sufficient to earn an endorsement in reading; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Pre-K - 12 Education; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 889 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Willhite—

HB 889—A bill to be entitled An act relating to the West Palm Beach Police Pension Fund of the City of West Palm Beach, Palm Beach County; amending ch. 24981 (1947), Laws of Florida, as amended; revising retirement pension calculation; conforming terminology; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 901 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Government Accountability Committee, Local, Federal & Veterans Affairs Subcommittee and Representative(s) Willhite—

CS for CS for HB 901—A bill to be entitled An act relating to the Acme Improvement District and the Pine Tree Water Control District, Palm Beach County; transferring certain land from the Acme Improvement District to the Pine Tree Water Control District; amending ch. 2009-270, Laws of Florida; providing boundaries of the Pine Tree Water Control District; amending ch. 2003-330, Laws of Florida, as amended; providing boundaries of the Acme Improvement District; providing purpose; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 957 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Judiciary Committee, Criminal Justice Subcommittee and Representative(s) Gruters, Gonzalez, Killebrew—

CS for CS for HB 957—A bill to be entitled An act relating to crime stoppers organizations; creating s. 90.595, F.S.; providing definitions; prohibiting a person who engages in privileged communication, a law enforcement crime stoppers coordinator or his or her staff, or a member of a crime stoppers organization's board of directors from being required to disclose privileged communications or produce protected information; providing an exception; authorizing a person charged with a criminal offense to petition the court to inspect the protected information under certain circumstances; authorizing a court to disclose all or a portion of the protected information; providing criminal penalties; providing exceptions; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 961 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Commerce Committee and Representative(s) Gruters, Beshears, Clemons, Grant, J., Rommel—

CS for HB 961—A bill to be entitled An act relating to the Beverage Law; amending s. 561.42, F.S.; authorizing a malt beverage distributor to give branded glassware to vendors licensed to sell malt beverages for on-premises consumption; requiring that the glassware bear certain branding; providing an annual limit on the amount of glassware a distributor may give to a vendor; prohibiting a vendor from selling the branded glassware or returning it to a distributor for cash, credit, or replacement; requiring manufacturers, importers, distributors, and vendors to maintain certain records; defining the terms "case" and "glassware"; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce and Tourism; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/HB 987 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Government Accountability Committee, Transportation & Tourism Appropriations Subcommittee, Local, Federal & Veterans Affairs Subcommittee and Representative(s) Cortes, B., Massullo, Roth—

CS for CS for CS for HB 987—A bill to be entitled An act relating to affordable housing; amending ss. 125.379 and 166.0451, F.S.; revising the criteria that counties and municipalities must use when evaluating real property as part of their inventory for disposal of lands; amending s. 163.31801, F.S.; requiring that certain data relating to impact fees be included in the annual financial reports for specified entities; creating s. 420.0007, F.S.; providing a local permit approval process; amending s. 420.507, F.S.; providing requirements for the term of certain agreements with the Florida Housing Development Corporation for property to be used for affordable housing; amending s. 420.5087, F.S.; revising the criteria used by a review committee when evaluating and selecting specified applications for the state apartment incentive loans; creating s. 420.56, F.S.; providing a process for certain entities to dispose of surplus lands for use as affordable housing; amending s. 420.9071, F.S.; revising the definition of "local housing incentive strategies"; amending ss. 253.0341, 337.25, and 373.089, F.S.; revising the procedures under which the board of trustees, the Department of Transportation, and the water management districts must dispose of nonconservation surplus lands; creating s. 420.57, F.S.; creating the Hurricane Housing Recovery Program to provide funds for certain affordable housing recovery efforts; requiring the Florida Housing Finance Corporation to administer the program and allocate resources to local governments that meet certain criteria; specifying requirements for receiving and using funds; requiring participating local governments to submit a report; creating the Rental Recovery Loan Program to provide funds for additional rental housing due to specified impacts; providing rationale for the program; authorizing the corporation to adopt emergency rules; providing that the adoption of emergency rules meets certain criteria related to public health, safety, and welfare; creating s. 420.58, F.S.; prohibiting the corporation from awarding, distributing, or allocating funds in certain circumstances; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1035 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Education Committee and Representative(s) Sullivan, Harrell, Massullo—

CS for HB 1035—A bill to be entitled An act relating to personalized education; amending s. 1002.385, F.S.; revising eligible expenditures for the Gardiner Scholarship Program; creating s. 1002.411, F.S.; establishing reading scholarship accounts for specified purposes; providing for eligibility for scholarships; providing for administration; providing duties of the Department of Education; providing school district obligations; specifying options for parents; providing that maximum funding shall be specified in the General Appropriations Act; providing for payment of funds; specifying that no state liability arises from the award or use of such an account; amending s. 1003.436, F.S.; authorizing a district school board participating in the Mastery-Based Education Pilot Program to award credit based on student mastery of certain content and skills; amending s. 1003.437, F.S.; authorizing a district school board participating in the Mastery-Based Education Pilot Program to use an alternative interpretation of letter grades for certain students; amending s. 1003.4996, F.S.; renaming the Competency-Based Education Pilot Program as the Mastery-Based Education Pilot Program; authorizing public school districts to submit applications for

the program; authorizing participating school districts to amend their applications to include alternatives for the award credits and interpretation of letter grades; providing requirements for such alternatives; deleting a requirement that the State Board of Education adopt rules; amending s. 1007.23, F.S.; requiring the statewide articulation agreement to ensure fair and equitable access for students with mastery-based, nontraditional diplomas and transcripts; providing contingent appropriations; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Pre-K - 12 Education; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1091 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By PreK-12 Appropriations Subcommittee, PreK-12 Quality Subcommittee and Representative(s) Grall, Brown, Fischer, Lee, Russell—

CS for CS for HB 1091—A bill to be entitled An act relating to early learning; amending s. 1002.81, F.S.; revising the definition of "at-risk child"; amending s. 1002.82, F.S.; revising the duties of the Office of Early Learning; revising the requirements for certain assessments; revising the standard statewide contract for providers; providing that failing to meet certain measures for a specified period is cause for termination of a provider; providing for the development of a program assessment for school readiness providers; providing program assessment requirements; requiring the office to set a payment differential for certain providers; providing requirements for such payment differential; revising requirements for a certain single statewide information system; revising the requirement for an analysis of early learning activities throughout the state; amending s. 1002.84, F.S.; conforming a cross-reference; amending s. 1002.85, F.S.; revising the required contents of the school readiness program plan each early learning coalition must submit; amending s. 1002.87, F.S.; revising the priority criteria for participation in the school readiness program; amending s. 1002.88, F.S.; revising school readiness provider requirements for program participation; conforming cross-references; amending s. 1002.89, F.S.; providing for the use of specified funds for a required assessment; amending s. 1002.92, F.S.; conforming a cross-reference; providing an appropriation; providing an effective date.

—was referred to the Committees on Education; Judiciary; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1117 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Local, Federal & Veterans Affairs Subcommittee and Representative(s) Grall—

CS for HB 1117—A bill to be entitled An act relating to the Sebastian Inlet Tax District, Indian River and Brevard Counties; amending ch. 2003-373, Laws of Florida, as amended; authorizing the district to enter into interlocal agreements, memoranda of understanding, or other agreements with local and state authorities to provide security for district facilities; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 1143 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) White—

HB 1143—A bill to be entitled An act relating to defrauding or attempting to defraud drug tests; amending s. 817.565, F.S.; defining the term "adulterant"; prohibiting a person from defrauding or attempting to defraud a certain hair follicle test; prohibiting a person from giving away or transporting into this state a substance or device that is used with intent to defraud or in attempts to defraud a lawfully administered hair follicle test designed to detect the presence of chemical substances or controlled substances; creating enhanced criminal penalties; creating a presumption of intent to defraud or attempt to defraud under certain circumstances; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1177 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Oversight, Transparency & Administration Subcommittee and Representative(s) Ingoglia—

CS for HB 1177—A bill to be entitled An act relating to the Joint Task Force on State Agency Law Enforcement Communications; amending s. 282.709, F.S.; providing that a representative of the Florida Sheriffs Association shall be an appointed member of the Joint Task Force on State Agency Law Enforcement Communications; providing that the sheriff's office that employs the representative must pay the per diem and travel expenses incurred by the representative; providing an effective date.

—was referred to the Committees on Criminal Justice; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 1189, as amended, and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Government Accountability Committee and Representative(s) Payne—

CS for HB 1189—A bill to be entitled An act relating to commercial motor vehicles; amending s. 316.003, F.S.; defining the term "platoon"; repealing s. 316.0896, F.S., relating to the assistive truck platooning technology pilot project; creating s. 316.0897, F.S.; exempting the operator of a nonlead vehicle in a platoon from provisions relating to following too closely; authorizing a platoon to be operated on a roadway in this state after an operator provides notification to the Department of Transportation and the Department of Highway Safety and Motor Vehicles; amending s. 316.302, F.S.; revising regulations to which owners and drivers of commercial motor vehicles are subject; revising requirements for electronic logging devices and support documents for certain intrastate motor carriers; deleting a limitation on a civil penalty for falsification of certain time records; deleting a requirement that a motor carrier maintain certain documentation of driving times; providing an exemption from specified provisions for a person who operates a commercial motor vehicle with a certain gross vehicle weight, gross vehicle weight rating, and gross combined weight rating; deleting the exemption from such provisions for a person transporting petroleum products; amending s. 316.303, F.S.; exempting an operator of a certain platoon vehicle from the prohibition on the active display of television or video; amending s. 320.01, F.S.; revising the definition of the term "appportionable vehicle"; amending s. 320.06, F.S.; providing for future repeal of issuance of a certain annual license plate and cab card to a vehicle that has an apportioned registration; revising information required to appear on the cab card; providing requirements for license plates, cab cards, and validation stickers for vehicles registered in accordance with the International Registration Plan; authorizing a damaged or worn license plate to be replaced at no charge under certain circumstances;

amending s. 320.0607, F.S.; providing an exemption from a certain fee for vehicles registered under the International Registration Plan; amending s. 320.131, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to partner with a county tax collector to conduct a Fleet Vehicle Temporary Tag pilot program for certain purposes; providing program requirements; providing for future repeal; amending s. 812.014, F.S.; providing a criminal penalty for an offender committing grand theft who uses a device to interfere with a global positioning or similar system; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 1201 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Ahern, Lee, Edwards-Walpole, Pritchett—

HB 1201—A bill to be entitled An act relating to education for prisoners; amending s. 944.801, F.S.; authorizing the Department of Corrections to contract with certain entities to provide education services for the Correctional Education Program; amending s. 951.176, F.S.; authorizing each county to contract with certain entities to provide education services for county inmates; amending s. 1011.80, F.S.; authorizing the use of state funds for the operation of postsecondary workforce programs for the education of certain state inmates; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1337, as amended, and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Health & Human Services Committee, Health Quality Subcommittee and Representative(s) Pigman—

CS for CS for HB 1337—A bill to be entitled An act relating to nursing; amending s. 464.003, F.S.; defining the term "advanced practice registered nurse"; deleting the terms "advanced registered nurse practitioner," "clinical nurse specialist," and "clinical nurse specialist practice," to conform to changes made by the act; repealing s. 464.0115, F.S., relating to the certification of clinical nurse specialists; amending s. 464.012, F.S.; requiring any nurse desiring to be licensed as an advanced practice registered nurse to apply to the Department of Health, submit proof that he or she holds a current license to practice professional nursing, and meet one or more specified requirements as determined by the Board of Nursing; authorizing the board to adopt rules to provide for provisional state licensure of certified nurse midwives, certified nurse practitioners, certified registered nurse anesthetists, clinical nurse specialists, and psychiatric nurses for a specified period of time; requiring the department and the board to establish a transition process for converting certain certified practitioners to licensed practitioners; authorizing certain certified practitioners to continue practicing advanced nursing during a specified period of time; providing construction; providing an expiration date for provisions relating to the transition from certification to licensure; conforming provisions to changes made by the act; amending ss. 960.28, F.S.; conforming a cross-reference; amending ss. 39.303, 39.304, 90.503, 110.12315, 121.0515, 252.515, 310.071, 310.073, 310.081, 320.0848, 381.00315, 381.00593, 383.14, 383.141, 384.27, 390.0111, 390.012, 394.455, 395.0191, 397.311, 397.4012, 397.427, 397.679, 397.6793, 400.021, 400.462, 400.487, 400.506, 400.9973, 400.9974, 400.9976, 400.9979, 401.445, 409.905, 409.908, 409.973, 429.918, 456.0391, 456.0392, 456.041, 456.048, 456.072, 456.44, 458.3265, 458.331, 458.348, 459.0137, 459.015, 459.025, 464.003, 464.004, 464.013, 464.015, 464.016, 464.018,

464.0205, 467.003, 480.0475, 483.041, 483.801, 486.021, 490.012, 491.0057, 491.012, 493.6108, 627.357, 627.6471, 627.6472, 627.736, 633.412, 641.3923, 766.103, 766.1115, 766.1116, 766.118, 794.08, 893.02, 893.05, 943.13, 948.03, 1002.20, 1002.42, 1006.062, 1009.65, 1009.66, and 1009.67, F.S.; conforming provisions to changes made by the act; providing effective dates.

—was referred to the Committees on Health Policy; Appropriations; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 1423, as amended, and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Government Accountability Committee, Local, Federal & Veterans Affairs Subcommittee and Representative(s) La Rosa—

CS for CS for HB 1423—A bill to be entitled An act relating to Tohopekaliga Water Authority, Osceola County; amending ch. 2003-368, Laws of Florida, as amended; revising legislative findings; providing a definition; providing for the Polk County Board of County Commissioners to appoint one member of the board under an interlocal agreement; providing for a fifth member of the board to be appointed under certain circumstance; providing for additional members of the board in certain circumstances; providing for term limits; providing for the Governor to appoint a fifth member of the board under certain circumstance; requiring board members to elect a chairperson; deleting compensation and reimbursement for board members; updating cross references; providing additional powers of the authority; revising authority power to increase rates and acquire water or wastewater facilities or systems; requiring the board to adopt or update a master plan every 4 years; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 1437 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Abruzzo, Drake, Pritchett, Raburn, Shaw—

HB 1437—A bill to be entitled An act relating to employment services for persons with disabilities; creating ss. 413.015 and 413.209, F.S.; specifying that participants in certain disabled persons' work experience activities are considered state employees for workers' compensation purposes; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Appropriations Subcommittee on General Government; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 1447 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Miller, M.—

HB 1447—A bill to be entitled An act relating to the City of Orlando, Orange County; providing an exception to general law; providing space, seating, and minimum gross revenues requirements for special alcoholic beverage licenses for restaurants in a described area; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 6049, as amended, and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Jones, Newton, Rodrigues—

HB 6049—A bill to be entitled An act relating to medical marijuana growers; amending s. 381.986, F.S.; deleting a requirement that the Department of Health grant a medical marijuana treatment center license to a member of a specified association; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 6501 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Toledo—

HB 6501—A bill to be entitled An act for the relief of Cristina Alvarez and George Patnode; providing appropriations to compensate them for the death of their son, Nicholas Patnode, a minor, due to the negligence of the Department of Health; providing for the repayment of Medicaid liens; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Committees on Judiciary; Appropriations Subcommittee on Health and Human Services; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 6505 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Representative(s) Jenne—

HB 6505—A bill to be entitled An act for the relief of Vonshelle Brothers, as the natural parent and legal guardian of Iyonna Hughey; providing an appropriation to compensate her daughter for injuries and damages sustained as a result of the alleged negligence of the Brevard County Health Department, an agency of the Department of Health; providing that certain payments and the appropriation satisfy all present and future claims related to the alleged negligent acts; providing a limitation on the payment of compensation, fees, and costs; providing an effective date.

—was referred to the Committees on Judiciary; Appropriations Subcommittee on Health and Human Services; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 6509 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Civil Justice & Claims Subcommittee and Representative(s) Grant, J.—

CS for HB 6509—A bill to be entitled An act for the relief of C.M.H.; providing an appropriation to compensate C.M.H. for injuries and damages sustained as a result of the negligence of the Department of Children and Families, formerly known as the Department of Children and Family Services; requiring certain funds to be placed into an irrevocable trust; providing a limitation on fees and costs; providing an effective date.

—was referred to the Committees on Judiciary; Appropriations Subcommittee on Health and Human Services; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 6523 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Civil Justice & Claims Subcommittee and Representative(s) Rabin—

CS for HB 6523—A bill to be entitled An act for the relief of Ashraf Kamel and Marguerite Dimitri by the Palm Beach County School Board; providing for an appropriation to compensate Ashraf Kamel and Marguerite Dimitri for the wrongful death of their minor child, Jean A. Pierre Kamel, as a result of the negligence of the Palm Beach County School Board; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 6525 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Judiciary Committee, Civil Justice & Claims Subcommittee and Representative(s) Byrd—

CS for CS for HB 6525—A bill to be entitled An act for the relief of Marcus Button by the Pasco County School Board; providing an appropriation to compensate Marcus Button for injuries sustained as a result of the negligence of an employee of the Pasco County School Board; providing an appropriation to compensate Mark and Robin Button, as parents and natural guardians of Marcus Button, for injuries and damages sustained by Marcus Button; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 6527 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Civil Justice & Claims Subcommittee and Representative(s) Alexander—

CS for HB 6527—A bill to be entitled An act for the relief of Christopher Cannon; providing an appropriation to compensate him for injuries and damages sustained as a result of the alleged negligence of the City of Tallahassee; providing that the appropriation satisfies all present and future claims arising out of the alleged negligent acts; providing a limitation on the payment of fees & costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/HB 6535 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Transportation & Tourism Appropriations Subcommittee, Civil Justice & Claims Subcommittee and Representative(s) Newton—

CS for CS for HB 6535—A bill to be entitled An act for the relief of the Estate of Dr. Sherrill Lynn Aversa; providing an appropriation to compensate the Estate of Dr. Sherrill Lynn Aversa for Dr. Aversa's death as a result of the negligence of the Department of Transportation; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Committees on Judiciary; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 6543 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Civil Justice & Claims Subcommittee and Representative(s) Perez—

CS for HB 6543—A bill to be entitled An act for the relief of the Estate of Eric Scott Tenner by Miami-Dade County; providing for an appropriation to compensate his estate for damages sustained as a result of the negligence of an employee of the Miami-Dade County Board of Commissioners; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed CS/HB 6545, as amended, and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Civil Justice & Claims Subcommittee and Representative(s) Santiago—

CS for HB 6545—A bill to be entitled An act for the relief of Ramiro Companioni, Jr., by the City of Tampa; providing for an appropriation to compensate Mr. Companioni for injuries sustained as a result of the negligence of the City of Tampa; providing a limitation on the payment of fees and costs; extinguishing certain lien interests; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

The Honorable Joe Negron, President

I am directed to inform the Senate that the House of Representatives has passed HB 7077 and requests the concurrence of the Senate.

Portia Palmer, Clerk

By Oversight, Transparency & Administration Subcommittee and Representative(s) Davis—

HB 7077—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., relating to an exemption from public record requirements for a complaint of misconduct against an agency employee and all information obtained pursuant to an investigation of such a complaint; removing the scheduled repeal of the exemption; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Rules.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 1 was corrected and approved.

CO-INTRODUCERS

Senator Campbell—CS for CS for SB 622

ADJOURNMENT

On motion by Senator Braynon, the Senate adjourned at 6:06 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Saturday, March 3 or upon call of the President.