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 an
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 this section; amending s. 213.053,
F.S.; requiring the Department of Revenue to share
specified information with eligible nonprofit
scholarship-funding organizations; 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. 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. 1001.215, F.S.; revising the duties of the Just Read, Florida! Office; 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 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, 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 superintendents relating to the organization 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 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.; 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
101 information before a scholarship may be disbursed;
102 providing requirements for the scholarship payments;
103 providing funds for administrative expenses for
104 certain nonprofit scholarship-funding organizations;
105 providing requirements for administrative expenses;
106 prohibiting an eligible nonprofit scholarship-funding
107 organization from charging an application fee;
108 providing Auditor General obligations; providing
109 requirements for taxpayer elections to contribute to
110 the program; requiring the Department of Revenue to
111 adopt forms to administer the program; providing
112 reporting requirements for eligible nonprofit
113 scholarship-funding organizations relating to taxpayer
114 contributions; providing requirements for certain
115 agents of the Department of Revenue and motor vehicle
116 dealers; providing penalties; providing for the
117 restitution of specified funds under certain
118 circumstances; providing that the state is not liable
119 for the award or use of program funds; prohibiting
120 additional regulations for private schools
121 participating in the program beyond those necessary to
122 enforce program requirements; requiring the state
123 board and the Department of Revenue to adopt rules to
124 administer the program; creating s. 1002.411, F.S.;
125 establishing reading scholarship accounts for

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PCS for HB 7055

CODING: Words **stricken** are deletions; words *underlined* are additions.
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 education 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.; providing for a character development program
that incorporates the values of the Congressional
Medal of Honor; amending s. 1003.576, F.S.; requires 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 a private school
articulation agreement; 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 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; 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
district school board member and school district
superintendent salaries until certain conditions are
met; amending s. 1011.60, F.S.; conforming cross-
references; 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
of Education to adopt rules for specified purposes;
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; 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 funding 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 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 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. 1012.2315, F.S.;
requiring certain employee organizations 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 waive 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; revising certain exemptions from requirements
for teacher certification for certain individuals;
amending s. 1012.56, F.S.; requiring the state board
to adopt certain rules; 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 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 an appropriation; authorizing
the Department of Revenue to adopt emergency rules for
specified purposes; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (k) of subsection (2) of section
11.45, Florida Statutes, is redesignated as paragraph (l), and a
new paragraph (k) is added to that subsection to read:

11.45 Definitions; duties; authorities; reports; rules.—
(2) DUTIES.—The Auditor General shall:

(k) Contact each district school board, as defined in s.
1003.01(1), with the findings and recommendations contained
within the Auditor General's previous operational audit report.
The district school board shall provide the Auditor General with
evidence of the initiation of corrective action within 45 days.
after the date it is requested by the Auditor General and evidence of completion of corrective action within 180 days after the date it is requested by the Auditor General. If the district school board fails to comply with the Auditor General's request or is unable to take corrective action within the required timeframe, the Auditor General shall notify the Legislative Auditing Committee.

The Auditor General shall perform his or her duties independently but under the general policies established by the Legislative Auditing Committee. This subsection does not limit the Auditor General's discretionary authority to conduct other audits or engagements of governmental entities as authorized in subsection (3).

Section 2. Subsection (14) of section 112.313, Florida Statutes, is amended to read:

112.313 Standards of conduct for public officers, employees of agencies, and local government attorneys.—

(14) LOBBYING BY FORMER LOCAL OFFICERS; PROHIBITION.—A person who has been elected to any county, municipal, special district, or school district office or an appointed superintendent of a school district may not personally represent another person or entity for compensation before the government body or agency of which the person was an officer for a period of 2 years after vacating that office. For purposes of this
subsection:

(a) The "government body or agency" of a member of a board of county commissioners consists of the commission, the chief administrative officer or employee of the county, and their immediate support staff.

(b) The "government body or agency" of any other county elected officer is the office or department headed by that officer, including all subordinate employees.

(c) The "government body or agency" of an elected municipal officer consists of the governing body of the municipality, the chief administrative officer or employee of the municipality, and their immediate support staff.

(d) The "government body or agency" of an elected special district officer is the special district.

(e) The "government body or agency" of an elected school district officer is the school district.

Section 3. Subsection (1) of section 112.31455, Florida Statutes, is amended to read:

112.31455 Collection methods for unpaid automatic fines for failure to timely file disclosure of financial interests.—

(1) Before referring any unpaid fine accrued pursuant to s. 112.3144(5) or s. 112.3145(7) to the Department of Financial Services, the commission shall attempt to determine whether the individual owing such a fine is a current public officer or current public employee. If so, the commission may notify the
Chief Financial Officer or the governing body of the appropriate county, municipality, district school board, or special district of the total amount of any fine owed to the commission by such individual.

(a) After receipt and verification of the notice from the commission, the Chief Financial Officer or the governing body of the county, municipality, district school board, or special district shall begin withholding the lesser of 10 percent or the maximum amount allowed under federal law from any salary-related payment. The withheld payments shall be remitted to the commission until the fine is satisfied.

(b) The Chief Financial Officer or the governing body of the county, municipality, district school board, or special district may retain an amount of each withheld payment, as provided in s. 77.0305, to cover the administrative costs incurred under this section.

Section 4. 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 5. 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 violation of the requirements as the department.

Section 6. Section 250.483, Florida Statutes, is created
to read:

250.483 Active duty; licensure or qualification.—
(1) If a member of the Florida National Guard or the
United States Armed Forces Reserves seeking licensure or
qualification for a trade, occupation, or profession is ordered
into state active duty or into active duty as defined in this
chapter, and his or her period of training, study,
apprenticeship, or practical experience is interrupted or the
start thereof is delayed, he or she is entitled to licensure or
qualification under the laws covering his or her licensure or
qualification at the time of entrance into active duty pursuant
to subsection (2).

(2) A board of examiners or other qualification board
regulated under general law shall accept periods of training and
practical experience in the Florida National Guard or the United
States Armed Forces Reserves in place of the interrupted or
delayed periods of training, study, apprenticeship, or practical
experience if the board finds the standard and type of work or
training performed in the Florida National Guard or the United
States Armed Forces Reserves to be substantially the same as the
standard and type required under the laws of this state.

(3) A member of the Florida National Guard or the United
States Armed Forces Reserves must request licensure or
qualification pursuant to this section by the respective board
of examiners or other qualification board within 6 months after
release from active duty with the Florida National Guard or the
United States Armed Forces Reserves.

Section 7. Subsections (7) through (12) of section
446.041, Florida Statutes, are renumbered as subsections (8)
through (13), respectively, and a new subsection (7) is added to
that section to read:

446.041  Apprenticeship program, duties of the department.—

The department shall:

(7) Lead and coordinate outreach efforts to educate
veterans about apprenticeship and career opportunities.

Section 8. Subsection (4) is added to section 446.081,
Florida Statutes, to read:

446.081  Limitation.—

(4) Nothing in ss. 446.011-446.092 or in any rules adopted
or contained in any approved apprentice agreement under such
sections invalidates any special provision for veterans, minority persons, or women in the standards, qualifications, or operation of the apprenticeship program which is not otherwise prohibited by any applicable general law, rule, or regulation.

Section 9. Section 683.147, Florida Statutes, is created to read:

683.147 Medal of Honor Day.—
(1) March 25 of each year is designated as "Medal of Honor Day."
(2) The Governor may annually issue a proclamation designating March 25 as Medal of Honor Day and calling upon public officials, schools, private organizations, and all residents of the state to commemorate Medal of Honor Day and honor recipients of the Congressional Medal of Honor who distinguished themselves through their conspicuous bravery and gallantry during wartime, and at considerable risk to their own lives, while serving as members of the United States Armed Forces.

Section 10. Subsection (8) is added to section 1001.10, Florida Statutes, to read:

1001.10 Commissioner of Education; general powers and duties.—
(8) In the event of an emergency, 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 to reopen as soon as possible after considering the health, safety, and welfare of students and clients.

Section 11. Paragraph (e) of subsection (4) of section 1001.20, Florida Statutes, is amended to read:

1001.20 Department under direction of state board.—

(4) The Department of Education shall establish the following offices within the Office of the Commissioner of Education which shall coordinate their activities with all other divisions and offices:

(e) Office of Inspector General.—Organized using existing resources and funds and responsible for promoting accountability, efficiency, and effectiveness and detecting fraud and abuse within school districts, the Florida School for the Deaf and the Blind, and Florida College System institutions in Florida. If the Commissioner of Education determines that a district school board, the Board of Trustees for the Florida School for the Deaf and the Blind, or a Florida College System institution board of trustees is unwilling or unable to address substantiated allegations made by any person relating to waste, fraud, or financial mismanagement within the school district, the Florida School for the Deaf and the Blind, or the Florida
College System institution, the office shall conduct, coordinate, or request investigations into such substantiated allegations. The office shall investigate allegations or reports of possible fraud or abuse against a district school board made by any member of the Cabinet; the presiding officer of either house of the Legislature; a chair of a substantive or appropriations committee with jurisdiction; or a member of the board for which an investigation is sought. The office shall have access to all information and personnel necessary to perform its duties and shall have all of its current powers, duties, and responsibilities authorized in s. 20.055.

Section 12. Subsections (3), (6), and (7) of section 1001.215, Florida Statutes, are amended to read:

1001.215 Just Read, Florida! Office.—There is created in the Department of Education the Just Read, Florida! Office. The office is fully accountable to the Commissioner of Education and shall:

(3) Work with the Lastinger Center for Learning at the University of Florida to develop training for K-12 teachers, reading coaches, and school principals on effective content-area-specific reading strategies; the integration of content-rich curriculum from other core subject areas into reading instruction; and evidence-based reading strategies identified in subsection (6) subsection (8) to improve student reading performance. For secondary teachers, emphasis shall be on
technical text. These strategies must be developed for all
content areas in the K-12 curriculum.

(6) Provide technical assistance to school districts in
the development and implementation of district plans for use of
the research-based reading instruction allocation provided in s.
1011.62(9) and annually review and approve such plans.

(7) Review, evaluate, and provide technical assistance to
school districts' implementation of the K-12 comprehensive
reading plan required in s. 1011.62(9).

Section 13. Subsection (1) of section 1001.39, Florida
Statutes, is amended to read:

1001.39 District school board members; travel expenses.—
(1) In addition to the salary provided in s. 1001.395,
each member of a district school board shall be allowed, from
the district school fund, reimbursement of travel expenses as
authorized in s. 112.061, except as provided that in subsection
(2), any travel outside the district requires prior approval by
the district school board to confirm that such travel is for
official business of the school district and complies with shall
also be governed by the rules of the State Board of Education.
Any request for travel outside the state must include an
itemized list detailing all anticipated travel expenses,
including, but not limited to, the anticipated costs of all
means of travel, lodging, and subsistence. Immediately preceding
a request, the public must have an opportunity to speak on the
Section 14. Subsection (3) of section 1001.395, Florida Statutes, is amended to read:

(3) Notwithstanding the provisions of this section and s. 145.19, for the 2010-2011 fiscal year, the salary of each district school board member shall be the amount calculated pursuant to subsection (1) or the district's beginning salary for teachers who hold baccalaureate degrees, whichever is less.

Section 15. Subsections (6) and (7), paragraphs (b) and (l) of subsection (12), and paragraph (b) of subsection (17) of section 1001.42, Florida Statutes, are amended to read:

(6) STANDARDS OF ETHICAL CONDUCT FOR INSTRUCTIONAL PERSONNEL, ADMINISTRATIVE PERSONNEL, AND SCHOOL OFFICERS ADMINISTRATORS. - Adopt policies establishing standards of ethical conduct for instructional personnel, administrative personnel, and school officers administrators. The policies must require all instructional personnel, administrative personnel, and school officers administrators, as defined in s. 1012.01, to complete training on the standards; establish the duty of instructional personnel, administrative personnel, and school officers administrators to report, and procedures for reporting,
alleged misconduct by other instructional or administrative personnel and school officers 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 district school board, or any of its employees, may not enter into a confidentiality agreement regarding terminated or dismissed instructional or administrative personnel or school officers administrators, or personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide instructional personnel, administrative personnel, or school officers administrators with employment references or discuss the personnel's or officers' administrators' performance with prospective employers in another educational setting, without disclosing the personnel's or officers' administrators' misconduct. Any part of an agreement or contract that has the purpose or effect of concealing misconduct by instructional personnel, administrative personnel, or school officers administrators which affects the health, safety, or welfare of a student is void, is contrary to public policy, and may not be enforced.

(7) DISQUALIFICATION FROM EMPLOYMENT.—Disqualify instructional personnel and administrative personnel school administrators, as defined in s. 1012.01, from employment in any
position that requires direct contact with students if the personnel or administrators are ineligible for such employment under s. 1012.315. An elected or appointed school board official forfeits his or her salary for 1 year if:

(a) The school board official knowingly signs and transmits to any state official a report of alleged misconduct by instructional personnel or administrative personnel school administrators which affects the health, safety, or welfare of a student and the school board official knows the report to be false or incorrect; or

(b) The school board official knowingly fails to adopt policies that require instructional personnel and administrative personnel school administrators to report alleged misconduct by other instructional personnel and administrative personnel school administrators, or that require the investigation of all reports of alleged misconduct by instructional personnel and administrative personnel school administrators, if the misconduct affects the health, safety, or welfare of a student.

(12) FINANCE.—Take steps to assure students adequate educational facilities through the financial procedure authorized in chapters 1010 and 1011 and as prescribed below:

(b) Annual budget.—

1. Cause to be prepared, adopt, and have submitted to the Department of Education as required by law and rules of the State Board of Education, the annual school budget, such budget
to be so prepared and executed as to promote the improvement of
the district school system.

2. An individual school board member may request and shall
receive any proposed, tentative, and official budget documents,
including all supporting and background information.

(1) Internal auditor.—May or, in the case of a school
district receiving annual federal, state, and local funds in
excess of $500 million, shall employ an internal auditor. The
duties of the internal auditor shall include oversight of every
functional and program area of the school system.

1. The internal auditor shall perform ongoing financial
verification of the financial records of the school district, a
comprehensive risk assessment of all areas of the school system
every 5 years, and other audits and reviews as the district
school board directs for determining:

   a. The adequacy of internal controls designed to prevent
      and detect fraud, waste, and abuse.

   b. Compliance with applicable laws, rules, contracts,
      grant agreements, district school board-approved policies, and
      best practices.

   c. The efficiency of operations.

   d. The reliability of financial records and reports.

   e. The safeguarding of assets.


   g. Projected revenues and expenditures.
h. The rate of change in the general fund balance.

2. The internal auditor shall prepare audit reports of his or her findings and report directly to the district school board or its designee.

3. Any person responsible for furnishing or producing any book, record, paper, document, data, or sufficient information necessary to conduct a proper audit or examination which the internal auditor is by law authorized to perform is subject to the provisions of s. 11.47(3) and (4).

(17) PUBLIC INFORMATION AND PARENTAL INVOLVEMENT PROGRAM.—

(b) Adopt rules to strengthen family involvement and empowerment pursuant to s. 1002.23. The rules shall be developed in collaboration with administrative personnel school administrators, parents, teachers, and community partners.

Section 16. Subsection (6) of section 1001.51, Florida Statutes, is amended to read:

1001.51 Duties and responsibilities of district school superintendent.—The district school superintendent shall exercise all powers and perform all duties listed below and elsewhere in the law, provided that, in so doing, he or she shall advise and counsel with the district school board. The district school superintendent shall perform all tasks necessary to make sound recommendations, nominations, proposals, and reports required by law to be acted upon by the district school board. All such recommendations, nominations, proposals, and
reports by the district school superintendent shall be either recorded in the minutes or shall be made in writing, noted in the minutes, and filed in the public records of the district school board. It shall be presumed that, in the absence of the record required in this section, the recommendations, nominations, and proposals required of the district school superintendent were not contrary to the action taken by the district school board in such matters.

(6) ESTABLISHMENT, ORGANIZATION, AND OPERATION OF SCHOOLS, CLASSES, AND SERVICES.—Recommend the establishment, organization, and operation of such schools, classes, and services as are needed to provide adequate educational opportunities for all children in the district.

(a) Recommendations may include the organization and operation of schools by an independent governing board to create the optimal learning environment to address the academic needs of students by giving instructional personnel freedom from burdensome regulations. To avoid any conflict of interest regarding the review, approval, and oversight of the school, members of the governing board may not be employees of the school district or any school operated by the governing board. Any school in which all instructional personnel are employees of an independent governing board shall operate in accordance with:

1. The contract between the independent governing board and the school board.
2. The exemptions from law provided in s. 1011.6202(3)(a) and (b).

3. The provisions of s. 1011.6202(5)(b) and (c), relating to tort liability and employer status.

Section 17. 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) 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 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 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)(o) paragraphs (8)(e)-(g) and (9)(o).

(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 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)(e)-(g) and (9)(o).

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 18. 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 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 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
center 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 charter schools 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 19. 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 20. Paragraph (b) of subsection (1) and present paragraph (c) of subsection (9) of section 1002.37, Florida Statutes, are amended, and a new paragraph (c) is added to that subsection, to read:

(1)

(b) The mission of the Florida Virtual School is to provide students with technology-based educational opportunities to gain the knowledge and skills necessary to succeed. The school shall serve any student in the state who meets the profile for success in this educational delivery context and shall give priority to:

1. Students who need expanded access to courses in order to meet their educational goals, such as home education students and students in inner-city and rural high schools who do not have access to higher-level courses.

2. Students seeking accelerated access in order to obtain a high school diploma at least one semester early.

3. Students who are children of an active duty member of the United States Armed Forces who is not stationed in this state whose home of record or state of legal residence is Florida.
The board of trustees of the Florida Virtual School shall identify appropriate performance measures and standards based on student achievement that reflect the school's statutory mission and priorities, and shall implement an accountability system for the school that includes assessment of its effectiveness and efficiency in providing quality services that encourage high student achievement, seamless articulation, and maximum access.

(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) 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 21. 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 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) or 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 children with neurological disorders 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.

(c) Provide a report from an independent certified public accountant who performs the agreed-upon procedures developed under s. 1002.395(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 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)(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 Prekindergarten Education Program provider. A student
with disabilities for whom a preassessment and postassessment is
not appropriate is exempt from this requirement. A participating
provider shall report a student's scores to the parent.
4. Affirm that the student remains in good standing with the provider or school if those options are selected by the parent.

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

Section 22. 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 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 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, 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
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

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)(b) 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)(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.

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 to constitute a basis for the ineligibility of the private school to participate in the scholarship program as determined by the department.

Section 23. Subsections (12) through (16) of section 1002.395, Florida Statutes, are renumbered as subsections (11) through (15), respectively, and paragraph (f) of subsection (2), paragraphs (n), (o), and (p) of subsection (6), and present subsections (8), (9), and (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).

(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)(e) 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, and biennially thereafter.

c. Must monitor the compliance of a private school with s. 1002.421(1)(q) paragraph (8)(e) 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)(e), 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)(e); or

(II) Any material exceptions set forth in the report required under s. 1002.421(1)(q) paragraph (8)(e).

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. 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. Administer 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 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)(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
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).

(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) and s. 11.45(2)(k).

(e) 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
(g) 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) 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) 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.

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).

Section 24. 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 heavy trucks, truck tractors, trailers, and motorcycles.

(h) "Parent" means a resident of this state who is a parent, as defined in s. 1000.21, and whose student was subjected to an incident listed in subsection (3).

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

(j) "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.

(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 has been subjected
to an incident of battery; harassment; hazing; bullying;
kidnapping; physical attack; robbery; sexual offenses,
harassment, assault, or battery; threat or intimidation; or
fighting at school.

(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

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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 listed in subsection (3), the school principal 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). 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 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. A parent who chooses to enroll his or her student in a Florida 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 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.

(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 scholarship 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 climate and code of student conduct of each public school at 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 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 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 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 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. 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 scholarship 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 Florida 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 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, 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 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. No funds authorized under this paragraph shall 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. 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, a brief description of the Hope
Scholarship Program and a section allowing the consumer to designate, from all participating scholarship funding organizations, which organization will receive the 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. 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 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 dealer of such finding and request evidence from the dealer that demonstrates the remittance obligation was met within 30 days after such notice was issued. If, within 30 days after the notice was issued, the dealer fails to provide evidence to the Department of Revenue that the contribution in question was remitted, the Department of Revenue may impose a civil fine in an amount equal to twice the amount of contributions the dealer failed to remit, which fine shall be transferred into the General Revenue Fund. If the fine is not paid within 60 days after the fine is imposed, the Department of Revenue
Revenue may bring a civil action under s. 120.69 to recover the fine.

(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. This penalty shall be collected by the Department of Revenue and shall be transferred into the General Revenue Fund. This 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 to willful negligence, willful neglect, or fraud.

(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, except the Department of Revenue shall adopt rules to administer subsection (13).

Section 25. 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
subsection 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.
year of the process to request and receive a 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 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, 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 26. 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 Florida private school as defined in s. 1002.01(2), be registered, and be in compliance 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
(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 of 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 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 warrant 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 where each student has regular and direct contact with teachers at the school's physical location.

(j) Publish on the school's website, or 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 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). 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). 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. (c) 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 refingerprinted 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.

(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 decisionmaking 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 fingerprints. 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,
2873 Enforcement under subparagraph 2., the owner or operator must
2874 electronically file a complete set of fingerprints with the
2875 Department of Law Enforcement. Upon submission of fingerprints
2876 for this purpose, the owner or operator shall request that the
2877 Department of Law Enforcement forward the fingerprints to the
2878 Federal Bureau of Investigation for level 2 screening, and the
2879 fingerprints shall be retained by the Department of Law
2880 Enforcement under subparagraph 2.
2881 2. Fingerprints submitted to the Department of Law
2882 Enforcement as required by this paragraph must be retained by
2883 the Department of Law Enforcement in a manner approved by rule
2884 and entered in the statewide automated biometric identification
2885 system authorized by s. 943.05(2)(b). The fingerprints must
2886 thereafter be available for all purposes and uses authorized for
2887 arrest fingerprints entered in the statewide automated biometric
2888 identification system pursuant to s. 943.051.
2889 3. The Department of Law Enforcement shall search all
2890 arrest fingerprints received under s. 943.051 against the
2891 fingerprints retained in the statewide automated biometric
2892 identification system under subparagraph 2. Any arrest record
2893 that is identified with an owner's or operator's fingerprints
2894 must be reported to the owner or operator, who must report to
2895 the Department of Education. Any costs associated with the
2896 search shall be borne by the owner or operator.
2897 4. An owner or operator who fails the level 2 background
screening is not eligible to provide scholarships under this section.

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 must 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

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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, stepsister, stepbrother, stepdaughter, 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 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 Florida 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 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 statute or state board rule pursuant to subparagraph (2)(a)3. or has received a notice of noncompliance 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 the department's 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 program, 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 the provisions of 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 in paragraph (1)(p).

(c) 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;
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.

(d) 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.

(e) 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;

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 paragraph (d).

(4)(c) 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)(d) 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 27. Subsection (2) of section 1003.42, Florida Statutes, is amended to read:

1003.42 Required instruction.—

(2) Members of the instructional staff of the public schools, subject to the rules of the State Board of Education and the district school board, shall teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historical accuracy, following the prescribed courses of study, and employing approved methods of instruction, the following:
(a) The history and content of the Declaration of Independence, including national sovereignty, natural law, self-evident truth, equality of all persons, limited government, popular sovereignty, and inalienable rights of life, liberty, and property, and how they form the philosophical foundation of our government.

(b) The history, meaning, significance, and effect of the provisions of the Constitution of the United States and amendments thereto, with emphasis on each of the 10 amendments that make up the Bill of Rights and how the constitution provides the structure of our government.

(c) The arguments in support of adopting our republican form of government, as they are embodied in the most important of the Federalist Papers.

(d) Flag education, including proper flag display and flag salute.

(e) The elements of civil government, including the primary functions of and interrelationships between the Federal Government, the state, and its counties, municipalities, school districts, and special districts.

(f) The history of the United States, including the period of discovery, early colonies, the War for Independence, the Civil War, the expansion of the United States to its present boundaries, the world wars, and the civil rights movement to the present. American history shall be viewed as factual, not as
constructed, shall be viewed as knowable, teachable, and
testable, and shall be defined as the creation of a new nation
based largely on the universal principles stated in the
Declaration of Independence.

(g) The history of the Holocaust (1933-1945), the
systematic, planned annihilation of European Jews and other
groups by Nazi Germany, a watershed event in the history of
humanity, to be taught in a manner that leads to an
investigation of human behavior, an understanding of the
ramifications of prejudice, racism, and stereotyping, and an
examination of what it means to be a responsible and respectful
person, for the purposes of encouraging tolerance of diversity
in a pluralistic society and for nurturing and protecting
democratic values and institutions.

(h) The history of African Americans, including the
history of African peoples before the political conflicts that
led to the development of slavery, the passage to America, the
enslavement experience, abolition, and the contributions of
African Americans to society. Instructional materials shall
include the contributions of African Americans to American
society.

(i) The elementary principles of agriculture.

(j) The true effects of all alcoholic and intoxicating
liquors and beverages and narcotics upon the human body and
mind.
(k) Kindness to animals.

(l) The history of the state.

(m) The conservation of natural resources.

(n) Comprehensive health education that addresses concepts of community health; consumer health; environmental health; family life, including an awareness of the benefits of sexual abstinence as the expected standard and the consequences of teenage pregnancy; mental and emotional health; injury prevention and safety; Internet safety; nutrition; personal health; prevention and control of disease; and substance use and abuse. The health education curriculum for students in grades 7 through 12 shall include a teen dating violence and abuse component that includes, but is not limited to, the definition of dating violence and abuse, the warning signs of dating violence and abusive behavior, the characteristics of healthy relationships, measures to prevent and stop dating violence and abuse, and community resources available to victims of dating violence and abuse.

(o) Such additional materials, subjects, courses, or fields in such grades as are prescribed by law or by rules of the State Board of Education and the district school board in fulfilling the requirements of law.

(p) The study of Hispanic contributions to the United States.

(q) The study of women's contributions to the United

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(r) The nature and importance of free enterprise to the United States economy.

(s) A character-development program in the elementary schools, similar to Character First or Character Counts, which is secular in nature. Beginning in school year 2004-2005, the character-development program shall be required in kindergarten through grade 12. Each district school board shall develop or adopt a curriculum for the character-development program that shall be submitted to the department for approval. The character-development curriculum shall stress the qualities of patriotism; responsibility; citizenship; kindness; respect for authority, life, liberty, and personal property; honesty; charity; self-control; racial, ethnic, and religious tolerance; and cooperation. The character-development curriculum for grades 9 through 12 shall, at a minimum, include instruction on developing leadership skills, interpersonal skills, organization skills, and research skills; creating a resume; developing and practicing the skills necessary for employment interviews; conflict resolution, workplace ethics, and workplace law; managing stress and expectations; and developing skills that enable students to become more resilient and self-motivated.

(t) In order to encourage patriotism, the sacrifices that veterans and Medal of Honor recipients have made in serving our country and protecting democratic values worldwide. Such
instruction must occur on or before Medal of Honor Day, Veterans' Day, and Memorial Day. Members of the instructional staff are encouraged to use the assistance of local veterans and Medal of Honor recipients when practicable.

The State Board of Education is encouraged to adopt standards and pursue assessment of the requirements of this subsection. A character development program that incorporates the values of the recipients of the Congressional Medal of Honor and that is offered as part of a social studies, English Language Arts, or other schoolwide character building and veteran awareness initiative meets the requirements of paragraphs (s) and (t).

Section 28. 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 29. Subsection (6) of section 1006.07, Florida Statutes, is amended 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:

(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 conduct a security risk assessment at each public school and conduct a self-assessment of the school districts' current safety and security practices using a format prescribed by the department. Based on these assessment 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.

Section 30. Paragraph (b) of subsection (13) and paragraph
(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).

(b) Each 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 31. Paragraphs (a) and (d) 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 and 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).

(d) Implementation schedule.—

1. The Commissioner of Education shall establish and publish on the department's website an implementation schedule to transition from the statewide, standardized Reading and Writing assessments to the ELA assessments and to the revised Mathematics assessments, including the Algebra I and Geometry EOC assessments. The schedule must take into consideration funding, sufficient field and baseline data, access to assessments, instructional alignment, and school district readiness to administer the assessments online. All such assessments must be delivered through computer-based testing.
however, the following assessments must be delivered in a computer-based format, as follows: the grade 3 Mathematics assessment beginning in the 2016-2017 school year; the grade 4 ELA assessment, beginning in the 2015-2016 school year; and the grade 4 Mathematics assessment, beginning in the 2016-2017 school year. Notwithstanding the requirements of this subparagraph, statewide, standardized ELA and mathematics assessments in grades 3 through 8 must be delivered only in a paper-based format, beginning with the 2017-2018 school year, and all such assessments must be paper-based no later than the 2018-2019 school year and statewide, standardized ELA and mathematics assessments in grades 7 and 8 must be delivered only in a paper-based format no later than the 2019-2020 school year.

2. The Department of Education shall publish minimum and recommended technology requirements that include specifications for hardware, software, networking, security, and broadband capacity to facilitate school district compliance with the requirements of this section.

(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 32. Subsection (2) of section 1010.20, Florida Statutes, is amended to read:

1010.20 Cost accounting and reporting for school districts.—

(2) COST REPORTING.—

(a) Each district shall report on a district-aggregate basis expenditures for inservice training pursuant to s. 1011.62(3) and for categorical programs as provided in s. 1011.62(6).

(b) Each district shall report to the department on a school-by-school and on an aggregate district basis expenditures for:

1. Each program funded in s. 1011.62(1)(c).
2. Total operating costs as reported pursuant to s. 1010.215.
3. Expenditures for classroom instruction pursuant to the calculation in s. 1010.215(4)(b)1. and 2.

(c) The department shall:

1. Categorize all public schools and public school
districts into appropriate groups based primarily on average full-time equivalent student enrollment as reported on the most recent student membership survey under s. 1011.62 and in state board rule to determine groups of peer schools and districts.

2. Annually calculate for each public school, district, and the entire state the percentage of classroom expenditures to total operating expenditures reported in subparagraphs (b)2. and 3. The results shall be categorized pursuant to this paragraph.

3. Annually calculate for all public schools, districts, and the state the average percentage of classroom expenditures to total operating expenditures reported in subparagraphs (b)2. and 3. The results shall be categorized pursuant to this paragraph.

4. Develop a web-based fiscal transparency tool that identifies public schools and districts that produce high academic achievement based on the ratio of classroom instruction expenditures to total expenditures. The fiscal transparency tool shall combine the data calculated pursuant to this paragraph with the student performance measurements calculated pursuant to s. 1012.34(7) to determine the financial efficiency of each public school and district. The results shall be displayed in an easy to use format that enables the user to compare performance among public schools and districts.

(d)(c) The Commissioner of Education shall present to the Legislature, prior to the opening of the regular session each
year, a district-by-district report of the expenditures reported pursuant to paragraphs (a) and (b). The report shall include total expenditures, a detailed analysis showing expenditures for each program, and such other data as may be useful for management of the education system. The Commissioner of Education shall also compute cost factors relative to the base student allocation for each funded program in s. 1011.62(1)(c).

Section 33. Subsection (2) of section 1010.30, Florida Statutes, is amended to read:

1010.30 Audits required.—

(2) If an audit contains a significant deficiency or material weakness finding, the district school board, the Florida College System institution board of trustees, or the university board of trustees shall conduct an audit overview during a public meeting. The audit overview shall describe the corrective action to be taken and a timeline for completion of such action.

Section 34. Paragraph (a) of subsection (3) of section 1011.01, Florida Statutes, is amended to read:

1011.01 Budget system established.—

(3)(a) Each district school board and each Florida College System institution board of trustees shall prepare, adopt, and submit to the Commissioner of Education an annual operating budget. Operating budgets shall be prepared and submitted in accordance with the provisions of law, rules of the State Board
of Education, the General Appropriations Act, and for district
school boards in accordance with the provisions of ss. 200.065
and 1011.64.

Section 35. Subsection (2) of section 1011.03, Florida
Statutes, is amended to read:

1011.03 Public hearings; budget to be submitted to
Department of Education.—

(2) The advertisement of a district that has been required
by the Legislature to increase classroom expenditures pursuant
to s. 1011.64 must include the following statement:

"This proposed budget reflects an increase in classroom
expenditures as a percent of total current operating
expenditures of XX percent over the (previous fiscal year)
fiscal year. This increase in classroom expenditures is required
by the Legislature because the district has performed below the
required performance standard on XX of XX student performance
standards for the (previous school year) school year. In order
to achieve the legislatively required level of classroom
expenditures as a percentage of total operating expenditures,
the proposed budget includes an increase in overall classroom
expenditures of $XX,XXX,XXX above the amount spent for this same
purpose during the (previous fiscal year) fiscal year. In order
to achieve improved student academic performance, this proposed
increase is being budgeted for the following activities:
...(list activities and amount budgeted)...."
Section 36. Subsection (2) of section 1011.035, Florida Statutes, is amended to read:

1011.035 School district fiscal budget transparency.—

(2) Each district school board shall post on its website a plain language version of each proposed, tentative, and official budget which describes each budget item in terms that are easily understandable to the public and include:

(a) Graphical representations, for each public school within the district and for the school district, of the following:

1. Summary financial efficiency data.
2. Fiscal trend information for the previous 3 years on:
   a. The ratio of full-time equivalent students to full-time equivalent instructional personnel.
   b. The ratio of full-time equivalent students to full-time equivalent administrative personnel.
   c. The total operating expenditures per full-time equivalent student.
   d. The total instructional expenditures per full-time equivalent student.
   e. The general administrative expenditures as a percentage of total budget.
   f. The rate of change in the general fund's ending fund balance not classified as restricted.

(b) A link to the web-based fiscal transparency tool
developed by the department pursuant to s. 1010.20 to enable taxpayers to evaluate the financial efficiency of the school district and compare the financial efficiency of the school district with other similarly situated school districts.

This information must be prominently posted on the school district's website in a manner that is readily accessible to the public.

Section 37. Subsections (1) and (2) of section 1011.051, Florida Statutes, are amended to read:

1011.051 Guidelines for general funds.—The district school board shall maintain a general fund ending fund balance that is sufficient to address normal contingencies.

(1) If at any time the portion of the general fund's ending fund balance not classified as restricted, committed, or nonspendable in the district's approved operating budget is projected to fall below 3 percent of projected general fund revenues during the current fiscal year, the superintendent shall provide written notification to the district school board and the Commissioner of Education. If such financial condition exists for 2 consecutive fiscal years, the superintendent shall reduce the district's administrative expenditures reported pursuant to s. 1010.215(4)(a) in proportion to the reduction in the general fund's ending balance or the reduction in student enrollment, whichever is greater.
(2)(a) If at any time the portion of the general fund's ending fund balance not classified as restricted, committed, or nonspendable in the district's approved operating budget is projected to fall below 2 percent of projected general fund revenues during the current fiscal year, the superintendent shall provide written notification to the district school board and the Commissioner of Education. Within 14 days after receiving such notification, if the commissioner determines that the district does not have a plan that is reasonably anticipated to avoid a financial emergency as determined pursuant to s. 218.503, the commissioner shall appoint a financial emergency board that shall operate under the requirements, powers, and duties specified in s. 218.503(3)(g).

(b) If any of the conditions identified in s. 218.503(1) existed in the 2015-2016 school year or thereafter, the department shall contract with an independent third party to conduct an investigation of all accounts and records to determine the cause of the deficit, what efforts, if any, were made to avoid the deficit, and whether any of the conditions identified in s. 1011.10 have occurred. The investigation must include a detailed review and analysis of documents and records, including, but not limited to, budget reports, journal entries, budget methodologies, staff emails, hard copy records, monthly financial statements, quarterly revenue and expenditure reports, finance staff job descriptions, and minutes from meetings. The
results of the investigation must include recommendations for corrective action and controls to avoid a reoccurrence of a future budget shortfall. A final report shall be provided to the district school board, the department, the Legislative Auditing Committee, and the district's financial emergency board, if applicable.

Section 38. Subsection (2) of section 1011.06, Florida Statutes, is amended to read:

1011.06  Expenditures.—

(2) EXPENDITURES FROM DISTRICT AND OTHER FUNDS.—

Expenditures from district and all other funds available for the public school program of any district shall be authorized by law and must be in accordance with procedures prescribed by the district school board. A district school board may establish policies that allow expenditures to exceed the amount budgeted by function and object, provided that the district school board complies with s. 1011.09(4) and approves the expenditure by amending and amends the budget at the next scheduled public meeting. The district school board must provide a full explanation of any amendments at the public meeting within timelines established by school board policies.

Section 39. Subsection (4) of section 1011.09, Florida Statutes, is amended to read:

1011.09  Expenditure of funds by district school board.—All state funds apportioned to the credit of any district constitute
a part of the district school fund of that district and must be
budgeted and expended under authority of the district school
board subject to the provisions of law and rules of the State
Board of Education.

(4) If the financial conditions in s. 1011.051 exist, a
district school board during the 2009-2010 fiscal year, unless
otherwise specifically approved by the district school board,
public funds may not be expended for out-of-
state travel outside of the district or cellular phones,
cellular phone service, personal digital assistants, or any
other mobile wireless communication device or service, including
text messaging, whether through purchasing, leasing,
contracting, or any other method, while the financial conditions
exist. The expenditure of public funds for art programs, music
programs, sports programs, and extracurricular programs for
students is a higher priority than expending funds for employee
tavel and cellular phones.

Section 40. Subsection (3) is added to section 1011.10,
Florida Statutes, to read:

1011.10 Penalty.—

(3) If any of the conditions identified in s. 218.503(1)
exist within a school district, the salary of each district
school board member and district school superintendent,
calculated pursuant to ss. 1001.395 and 1001.47, shall be
withheld until the conditions are corrected.
Section 41. Subsection (8) of section 1011.60, Florida Statutes, is amended to read:

1011.60 Minimum requirements of the Florida Education Finance Program.—Each district which participates in the state appropriations for the Florida Education Finance Program shall provide evidence of its effort to maintain an adequate school program throughout the district and shall meet at least the following requirements:

(8) MINIMUM CLASSROOM EXPENDITURE REQUIREMENTS. Comply with the minimum classroom expenditure requirements and associated reporting pursuant to s. 1011.64.

Section 42. 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 the 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 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). 

(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 nondual
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 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, 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 (1)(f).

3.4. 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).

4.5. 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 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. Each school district that has a school that earns a grade below a “B” pursuant to s. 1008.34 shall 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 department as part of the monitoring, intervention, and support strategies required under s. 1008.33 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 intervention remediation through integrated curricula, provided that the interventions are delivered by a teacher who is certified or endorsed in 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" may include strategies
identified by the Just Read, Florida! Office pursuant to s.
1001.215(8) and may include includes evidence-based strategies
frequently used to remediate reading deficiencies and also
includes includes individual instruction, tutoring, mentoring, or the use
of technology that targets specific reading skills and
abilities.

Section 43. Section 1011.6202, Florida Statutes, is
amended to read:

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 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, the district school 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, each of these school 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 an independent governing board 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 an independent governing board 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-INDEPENDENT AUTONOMOUS SCHOOLS.—To foster development of principal autonomy and autonomous schools, participating school districts may expand the impact of participating principals by allowing participating principals to manage multiple schools under an independent governing board.

(a) A participating principal who successfully completes
the training required by subsection (4) may manage one or more
schools that are operated by an independent governing board
through a contract with the school board. To avoid any conflict
of interest regarding the review, approval, and oversight of the
school, members of the governing board may not be employees of
the school district or any school operated by the governing
board.

(b) For the purposes of tort liability, the independent
governing board, autonomous school, and its employees or agents
shall be governed by s. 768.28. The school board shall not be
liable for civil damages under state law for the employment
actions or personal injury, property damage, or death resulting
from an act or omission of an independent governing board,
autonomous school, and its employees or agents.

(c) An autonomous school may be a private or a public
employer. As a public employer, the autonomous school may
participate in the Florida Retirement System upon application
and approval as a covered group under s. 121.021(34). If an
autonomous school participates in the Florida Retirement System,
the school's employees shall be compulsory members of the
Florida Retirement System.

(6) 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, or manage pursuant to subsection  
(5), a school that earned a grade of "F" or two three  
consecutive grades of "D" pursuant to s. 1008.34 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 or manager.  
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 or manager.  
(8) RULEMAKING.—The State Board of Education shall adopt  
rules to administer this section.  
Section 44. Section 1011.64, Florida Statutes, is  
repealed.  
Section 45. 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  

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CODING: Words stricken are deletions; words underlined are additions.
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 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.

4. A necessary and reasonable amount, not to exceed 1 percent, 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.
b. Supplemental academic and enrichment services, as well as wrap-around services.

Any funds provided by eligible schools pursuant to paragraph (b) shall not be included calculation of the 1 percent limitation.

(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 use funds under this subsection for district-level to participate in discretionary educational services provided by the school district under paragraph (a).

Section 46. Paragraph (e) of 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(3) and for district schools to fund:

(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.

Section 47. Section 1012.23, Florida Statutes, is amended to read:

1012.23 School district personnel policies.—
(2) Neither the district school superintendent nor a district school board member may appoint or not employ or appoint a relative, as defined in s. 112.3135, to work under the direct supervision of that district school board member or district school superintendent. The limitations of this subsection do not apply to employees appointed or employed before the election or appointment of a school board member or district school superintendent. The Commission on Ethics shall accept and investigate any alleged violations of this section pursuant to the procedures contained in ss. 112.322-112.3241.

Section 48. 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 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 Relation
4398 | Commission pursuant to subsections (2) and (3) of s. 447.307 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.

4399 | Section 49. Subsection (8) of section 1012.28, Florida Statutes, is amended to read:

4400 | 1012.28 Public school personnel; duties of school principals.—

4401 | (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:

4402 | (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.

4403 | (b) The authority to deploy financial resources to school programs at the principal's discretion to help improve student achievement, as defined 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 50. 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.
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 51. Subsection (4) of section 1012.55, Florida Statutes, is amended, and paragraph (e) is added to subsection (1) of that section, to read:

1012.55 Positions for which certificates required.—

(1) (e)1. The department shall issue a 3-year temporary certificate in educational leadership under s. 1012.56(7) to an individual who:

a. Earned a passing score on the Florida Educational Leadership Examination.

b. Served as a commissioned or noncommissioned military officer in the United States Armed Forces for at least 3 years.

c. Was honorably discharged or has retired from the United States Armed Forces.
4498 States Armed Forces.
4499 d. Is employed full time in a position for which an
4500 educator certificate is required in a Florida public school,
4501 state-supported school, or nonpublic school that has a Level II
4502 program under s. 1012.562.
4503 2. A Level II program under s. 1012.562 must accept an
4504 applicant who holds a temporary certificate under subparagraph
4505 1. The department shall issue a permanent certification as a
4506 school principal to an individual who holds a temporary
4507 certificate under subparagraph 1. and successfully completes the
4508 Level II program.
4509 (4) A commissioned or noncommissioned military officer who
4510 is an instructor of junior reserve officer training shall be
4511 exempt from requirements for teacher certification, except for
4512 the background screening pursuant to s. 1012.32, if he or she
4513 meets the following qualifications:
4514 (a) Is retired from active military duty, pursuant to
4515 chapter 102 of Title 10 U.S.C.
4516 (b) Satisfies criteria established by the appropriate
4517 military service for certification by the service as a junior
4518 reserve officer training instructor.
4519 (c) Has an exemplary military record.
4520 If such instructor is assigned instructional duties other than
4522 junior reserve officer training, he or she shall hold the
certificate required by law and rules of the state board for the
type of service rendered. An instructor of junior reserve
officer training under this subsection may receive funding
through the Florida Teachers Classroom Supply Assistance Program
under s. 1012.71.

Section 52. Subsection (7) of section 1012.56, Florida
Statutes, is amended to read:

1012.56 Educator certification requirements.—
(7) TYPES AND TERMS OF CERTIFICATION.—
(a) The Department of Education shall issue a professional
certificate for a period not to exceed 5 years to any applicant
who fulfills one of the following:
1. Meets all the requirements outlined in subsection (2).
2. For a professional certificate covering grades 6
through 12:
   a. Meets the requirements of paragraphs (2)(a)-(h).
   b. Holds a master's or higher degree in the area of
      science, technology, engineering, or mathematics.
   c. Teaches a high school course in the subject of the
      advanced degree.
   d. Is rated highly effective as determined by the
      teacher's performance evaluation under s. 1012.34, based in part
      on student performance as measured by a statewide, standardized
      assessment or an Advanced Placement, Advanced International
      Certificate of Education, or International Baccalaureate
4548 examination.
4549 e. Achieves a passing score on the Florida professional
4550 education competency examination required by state board rule.
4551 3. Meets the requirements of paragraphs (2)(a)-(h) and
4552 completes a professional preparation and education competence
4553 program approved by the department pursuant to paragraph (8)(c).
4554 An applicant who completes the program and is rated highly
4555 effective as determined by his or her performance evaluation
4556 under s. 1012.34 is not required to take or achieve a passing
4557 score on the professional education competency examination in
4558 order to be awarded a professional certificate.
4559 (b) The department shall issue a temporary certificate to
4560 any applicant who completes the requirements outlined in
4561 paragraphs (2)(a)-(f) and completes the subject area content
4562 requirements specified in state board rule or demonstrates
4563 mastery of subject area knowledge pursuant to subsection (5) and
4564 holds an accredited degree or a degree approved by the
4565 Department of Education at the level required for the subject
4566 area specialization in state board rule.
4567 (c) The department shall issue one nonrenewable 2-year
4568 temporary certificate and one nonrenewable 5-year professional
4569 certificate to a qualified applicant who holds a bachelor's
4570 degree in the area of speech-language impairment to allow for
4571 completion of a master's degree program in speech-language
4572 impairment.
Each temporary certificate is valid for 3 school fiscal years and is nonrenewable. However, the requirement in paragraph (2)(g) must be met within 1 calendar year of the date of employment under the temporary certificate. Individuals who are employed under contract at the end of the 1 calendar year time period may continue to be employed through the end of the school year in which they have been contracted. A school district shall not employ, or continue the employment of, an individual in a position for which a temporary certificate is required beyond this time period if the individual has not met the requirement of paragraph (2)(g). At least 1 year before an individual's temporary certificate is set to expire, the department shall electronically notify the individual of the date on which his or her certificate will expire and provide a list of each method by which the qualifications for a professional certificate can be completed. The State Board of Education shall adopt rules to allow the department to extend the validity period of a temporary certificate for 2 years when the requirements for the professional certificate, not including the requirement in paragraph (2)(g), were not completed due to the serious illness or injury of the applicant, the military service of an applicant's spouse, or other extraordinary extenuating circumstances. The rules must authorize the department to extend the validity period of a temporary certificate for 1 year if
the temporary certificateholder is rated effective or highly
effective based solely on a student learning growth formula
approved by the Commissioner of Education pursuant to s.
1012.34(8). The department shall reissue the temporary
certificate for 2 additional years upon approval by the
Commissioner of Education. A written request for reissuance of
the certificate shall be submitted by the district school
superintendent, the governing authority of a university lab
school, the governing authority of a state-supported school, or
the governing authority of a private school.

Section 53. 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, 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 54. Subsection (3) is added to section 1012.59, Florida Statutes, to read:

1012.59 Certification fees.—

(3) The State Board of Education shall waive initial general knowledge, professional education, and subject area examination fees and certification fees for:

(a) A member of the United States Armed Forces or a reserve component thereof who is serving or has served on active duty and the spouse of such a member.

(b) The surviving spouse of a member of the United States Armed Forces or a reserve component thereof who was serving on active duty at the time of death.

(c) An honorably discharged veteran of the United States Armed Forces or a veteran of a reserve component thereof who served on active duty and the spouse or surviving spouse of such a veteran.

Section 55. Subsection (11) of section 1012.98, Florida Statutes, is amended to read:

1012.98 School Community Professional Development Act.—

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CODING: Words struck are deletions; words underlined are additions.
(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
standards.

d) Illustrate the interdependence of grade level expectations within and across content areas within a grade.

Section 56. 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 written permission of the school district.

Section 57. 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 58. Paragraph (a) of subsection (1), paragraphs (a) and (e) of subsection (3), and subsection (5) of section 1013.62, Florida Statutes, are amended 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. However, if the amount of state funds appropriated for charter school capital outlay in any fiscal year is not equal to or is less than the average charter school capital outlay funds per unweighted full-time equivalent student for the 2018-2019 fiscal year, multiplied by
the estimated number of charter school students for the applicable fiscal year, and adjusted by changes in the Consumer Price Index from the previous fiscal year, charter school capital outlay funding shall also consist of revenue 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.

(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 is not equal to or is less than the average charter school capital outlay funds per unweighted full-time equivalent student for the 2018-2019 fiscal year, multiplied by the estimated number of charter school students for the applicable fiscal year, and adjusted by changes in the Consumer Price Index 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.

(e) School districts shall distribute capital outlay funds to charter schools no later than February 1 of each year if required by this subsection, beginning on February 1, 2018, for
the 2017-2018 fiscal year.

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 (3)(a) and can be reduced from the total discretionary millage revenue. The Auditor General shall verify compliance with the requirements of paragraph (3)(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 59. For the 2018-2019 fiscal year, the sum of
$19,350,000 in recurring funds from the General Revenue Fund and
the sum of $850,000 in nonrecurring funds from the General
Revenue Fund are appropriated to the Department of Education to
implement this act. Of the recurring funds, $9,700,000 shall be
used to fund Reading Scholarship Accounts, $300,000 is provided
as an administrative fee pursuant to s. 1002.411(1), Florida
Statutes, $2,000,000 shall be used to implement the provisions
of s. 1002.411(5), Florida Statutes, $5,600,000 shall be used to
implement the provisions of s. 1008.22(3)(d), Florida Statutes,$
$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, $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 provision of s. 1011.051(2)(b), Florida Statutes.

Section 60. 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 61. This act shall take effect July 1, 2018.