



Education Appropriations Subcommittee

Action Packet

**March 18, 2014
3:00 p.m. – 6:00 p.m.
Morris Hall**

COMMITTEE MEETING REPORT
Education Appropriations Subcommittee

3/18/2014 3:00:00PM

Location: Morris Hall (17 HOB)

Summary:

Education Appropriations Subcommittee

Tuesday March 18, 2014 03:00 pm

HB 5103 Favorable With Committee Substitute

Yeas: 7 Nays: 4

Amendment 187341 Adopted

Amendment 236449 Withdrawn

Amendment 478667 Adopted

PCB EDAS 14-02 Favorable

Yeas: 11 Nays: 0

Committee meeting was reported out: Tuesday, March 18, 2014 5:07:11PM

COMMITTEE MEETING REPORT
Education Appropriations Subcommittee
3/18/2014 3:00:00PM

Location: Morris Hall (17 HOB)

Attendance:

| | <i>Present</i> | <i>Absent</i> | <i>Excused</i> |
|---------------------|----------------|---------------|----------------|
| Erik Fresen (Chair) | X | | |
| Janet Adkins | X | | |
| Larry Ahern | X | | |
| Karen Castor Dentel | X | | |
| Heather Fitzenhagen | X | | |
| Mia Jones | X | | |
| Larry Lee, Jr. | X | | |
| H. Marlene O'Toole | X | | |
| W. Keith Perry | X | | |
| Jake Raburn | X | | |
| Betty Reed | X | | |
| Charlie Stone | X | | |
| Dwayne Taylor | X | | |
| Totals: | 13 | 0 | 0 |

Committee meeting was reported out: Tuesday, March 18, 2014 5:07:11PM

COMMITTEE MEETING REPORT
Education Appropriations Subcommittee
3/18/2014 3:00:00PM

Location: Morris Hall (17 HOB)

HB 5103 : Florida Personal Learning Account Program

Favorable With Committee Substitute

| | Yea | Nay | No Vote | Absentee Yea | Absentee Nay |
|----------------------|-----|----------------------|---------|-----------------|-----------------|
| Janet Adkins | X | | | | |
| Larry Ahern | X | | | | |
| Karen Castor Dentel | | X | | | |
| Heather Fitzenhagen | X | | | | |
| Mia Jones | | X | | | |
| Larry Lee, Jr. | | | X | | |
| H. Marlene O'Toole | X | | | | |
| W. Keith Perry | | | | X | |
| Jake Raburn | X | | | | |
| Betty Reed | | X | | | |
| Charlie Stone | X | | | | |
| Dwayne Taylor | | X | | | |
| Erik Fresen (Chair) | X | | | | |
| Total Yeas: 7 | | Total Nays: 4 | | | |

HB 5103 Amendments

Amendment 187341

Adopted

Amendment 236449

Withdrawn

Amendment 478667

Adopted

Appearances:

Dodge, Wendy, Director of Government Affairs (Lobbyist) - Opponent
 Polk County Public Schools
 PO Box 391
 Bartow FL 33831
 Phone: (863) 534-0658

Tupper, Rosa Valencia (General Public) - Information Only
 Self
 13952 Crestwick, Drive
 Jacksonville Florida 32218
 Phone: 904-304-6284

Committee meeting was reported out: Tuesday, March 18, 2014 5:07:11PM

COMMITTEE MEETING REPORT
Education Appropriations Subcommittee

3/18/2014 3:00:00PM

Location: Morris Hall (17 HOB)

HB 5103 : Florida Personal Learning Account Program (continued)

Appearances: (continued)

Hassell, Joanna (Lobbyist) - Waive In Support
Foundation for Florida's Future
215 S Monroe St Ste 420
Tallahassee FL 32301
Phone: (850) 391-3070

Giery, Adam, Policy Director (Lobbyist) - Waive In Support
Florida Chamber of Commerce
136 S. Bronough St.
Tallahassee Florida 32301
Phone: 850-521-1252

Riley, Eric, Legislative Advocate (Lobbyist) - Waive In Opposition
Florida Education Association
213 S. Adams St.
Tallahassee Florida 32301
Phone: 850-224-2078

Committee meeting was reported out: Tuesday, March 18, 2014 5:07:11PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 5103 (2014)

Amendment No. 1

*Adopted
3/18/14*

COMMITTEE/SUBCOMMITTEE ACTION

| | |
|-----------------------|---|
| ADOPTED | <input checked="" type="checkbox"/> (Y/N) |
| ADOPTED AS AMENDED | <input type="checkbox"/> (Y/N) |
| ADOPTED W/O OBJECTION | <input type="checkbox"/> (Y/N) |
| FAILED TO ADOPT | <input type="checkbox"/> (Y/N) |
| WITHDRAWN | <input type="checkbox"/> (Y/N) |
| OTHER | <input type="checkbox"/> |

1 Committee/Subcommittee hearing bill: Education Appropriations
2 Subcommittee

3 Representative Bileca offered the following:

4
5 **Amendment**

6 Remove lines 135-159 and insert:

7 a. Specialized instructional services by an approved
8 provider.

9 b. Tuition and fees for instructional services from an
10 eligible private school under s. 1002.39(8) or s. 1002.395(8).

11 c. Private tutoring pursuant to s. 1002.43.

12 d. Tuition and fees for enrollment in a virtual education
13 program provided by an approved virtual education provider
14 pursuant to s. 1002.37 or s. 1002.45 or in an approved online
15 course offered pursuant to s. 1003.499 or s. 1004.0961.

16 e. Curriculum.

187341 - HB 5103 line 135 Bileca.docx

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 5103 (2014)

Amendment No. 1

17 | f. Costs incurred to comply with the annual educational
18 | evaluation required in this paragraph.

19 | g. The fee authorized by paragraph (5) (a).

20 | h. Services such as applied behavior analysis as defined
21 | in s. 627.6686, speech-language pathology as defined in s.
22 | 468.1125, occupational therapy as defined in s. 468.203, and
23 | physical therapy as defined in s. 486.021.

24 |

25 |

26 |

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 5103 (2014)

Amendment No.2

*Adopted
3/18/14*

COMMITTEE/SUBCOMMITTEE ACTION

| | | |
|-----------------------|-------------------------------------|-------|
| ADOPTED | <input checked="" type="checkbox"/> | (Y/N) |
| ADOPTED AS AMENDED | <input type="checkbox"/> | (Y/N) |
| ADOPTED W/O OBJECTION | <input type="checkbox"/> | (Y/N) |
| FAILED TO ADOPT | <input type="checkbox"/> | (Y/N) |
| WITHDRAWN | <input type="checkbox"/> | (Y/N) |
| OTHER | <input type="checkbox"/> | |

1 Committee/Subcommittee hearing bill: Education Appropriations
 2 Subcommittee

3 Representative Bileca offered the following:

4
5 **Amendment (with title amendment)**

6 Between lines 394 and 395, insert:

7 Section 3. Section 1003.438, Florida Statutes, is
8 repealed.

9

10

11

12

13

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

14

Remove line 44 and insert:

15

Personal Learning Account Program; repealing s. 1003.438, F.S.,

16

relating to special high school graduation requirements for

17

certain exceptional students; amending s. 11.45,

63-100-1
63-100-2
63-100-3
63-100-4
63-100-5
63-100-6
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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 5103 (2014)

Amendment No. 3

W/D
3/18/14

COMMITTEE/SUBCOMMITTEE ACTION

| | | |
|-----------------------|-----|-------|
| ADOPTED | ___ | (Y/N) |
| ADOPTED AS AMENDED | ___ | (Y/N) |
| ADOPTED W/O OBJECTION | ___ | (Y/N) |
| FAILED TO ADOPT | ___ | (Y/N) |
| WITHDRAWN | ✓ | (Y/N) |
| OTHER | ___ | |

1 Committee/Subcommittee hearing bill: Education Appropriations
2 Subcommittee

3 Representative Castor Dentel offered the following:

4
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 1002.411, Florida Statutes, is created
8 to read:

9 1002.411 Categorical fund program.-

10 (1) CATEGORICAL FUND PROGRAM.-The categorical fund program
11 shall be established and funded through the General
12 Appropriations Act to provide up to \$5,051 per year for each
13 student in kindergarten through grade 5 who is a home education
14 program student and who qualifies as a student with a disability
15 pursuant to s. 393.063 or is a high-risk child pursuant to s.
16 393.063(20) (a). The categorical funds may be used to purchase

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17 supplemental services as set forth in s. 1002.66(2). The
18 Department of Health shall provide oversight of the use of the
19 categorical funds to purchase supplemental services. Department
20 of Health oversight shall include periodic visits to the home of
21 each student receiving categorical funds to purchase
22 supplemental services. The use of categorical funds to purchase
23 supplemental services shall be governed by the same criteria as
24 used in the Voluntary Prekindergarten Education Program pursuant
25 to s. 1002.66(3), except that categorical fund oversight shall
26 be provided by the Department of Health.

27 (2) DEFINITIONS.—

28 (a) "Approved provider" means a provider of specialized
29 instructional services approved by the department, individuals
30 providing services through the Agency for Persons with
31 Disabilities, and providers approved pursuant to s. 1002.66.

32 (b) "Certified teacher" means a teacher who holds a valid
33 Florida professional certificate issued pursuant to s. 1012.56
34 to teach academic subjects at the elementary or secondary level.

35 (c) "Curriculum" means a complete course of study for a
36 particular content area or grade level, including any required
37 supplemental materials.

38 (d) "Eligible student" or "participating student" means a
39 student with a disability who is eligible for, or is
40 participating in, the categorical fund, as applicable.

41 (e) "Student with a disability" means a student in

Amendment No. 3

42 kindergarten through grade 5 who has autism, cerebral palsy,
43 Down syndrome, an intellectual disability, Prader-Willi
44 syndrome, or spina bifida, as defined in s. 393.063. For a
45 student in kindergarten, the term also means a high-risk child
46 as defined in s. 393.063(20)(a).

47 (3) CATEGORICAL FUND ELIGIBILITY.—The parent of a student
48 who resides in this state may request and receive categorical
49 funds if:

50 (a) The student is eligible to enter kindergarten or grade
51 1 through grade 5 or received categorical funds established
52 pursuant to this section in the previous school year;

53 (b) The student has been identified as a student with a
54 disability by the school district in which he or she resides and
55 the district has completed an individual educational plan
56 written in accordance with rules of the State Board of
57 Education; and

58 (c) The student is assigned to matrix Support Level IV or
59 Support Level V pursuant to s. 1011.62(1).

60

61 For a student who is a first-time applicant, an administrative
62 or a judicial proceeding may not be pending regarding the
63 contents of the student's individual educational plan. For a
64 student who is applying to renew categorical funds, the
65 existence of a pending administrative or judicial proceeding
66 about a subsequent individual educational plan does not affect

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67 continued eligibility for funds.

68 (4) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
69 PARTICIPATION.—

70 (a) To receive categorical funds, the parent of an
71 eligible student must:

72 1. No later than 60 days before one of the payment
73 transfer dates specified in paragraph (8) (d), submit an
74 application to an eligible nonprofit scholarship-funding
75 organization in order to receive that payment and, if the
76 student does not already have an active individual educational
77 plan, request an evaluation from the school district in which
78 the student resides; and

79 2. Obtain an individual educational plan in accordance
80 with subsection (7) no later than 30 days before one of the
81 payment transfer dates specified in paragraph (8) (d) in order to
82 receive that payment.

83 (b) To maintain eligibility for categorical funds, the
84 parent of an eligible student must:

85 1. Register the student's participation in the program
86 with the school district in which the student resides and
87 release the school district from all obligations to educate the
88 student.

89 2. Participate in the initial development of the
90 individual educational plan and the annual review of the plan
91 under subsection (7).

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92 3. Submit eligible expenses to the nonprofit scholarship-
93 funding organization designated by the parent for reimbursement
94 of qualifying expenditures. Reimbursement requests must be
95 supported by documentation of services rendered, such as
96 receipts or invoices, and accompanied by an affidavit signed by
97 the parent certifying his or her compliance with the
98 requirements of this section. Eligible expenses include:

99 a. Specialized instructional services by approved
100 providers that are consistent with the student's individual
101 educational plan.

102 b. Tuition and fees for instructional services from an
103 eligible private school under s. 1002.39(8) or s. 1002.395(8) to
104 implement the student's individual educational plan.

105 c. Private tutoring pursuant to s. 1002.43.

106 d. Tuition and fees for enrollment in a virtual education
107 program provided by an approved virtual education provider
108 pursuant to s. 1002.37 or s. 1002.45 or in an approved online
109 course offered pursuant to s. 1003.499 or s. 1004.0961.

110 e. Curriculum.

111 f. Costs incurred to comply with the annual educational
112 evaluation required in this paragraph.

113 g. The fee authorized by paragraph (5)(a).

114 h. Services such as applied behavior analysis as defined
115 in s. 627.6686, speech-language pathology as defined in s.
116 468.1125, occupational therapy as defined in s. 468.203, and

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117 physical therapy as defined in s. 486.021.

118 i. Medical services prescribed by a physician licensed
119 under chapter 458 or chapter 459 if categorical funds remain
120 after the purchase of educational services necessary to meet the
121 student's educational needs and if such medical services are
122 related to the student's disability.

123 4. Maintain a portfolio of records and materials that
124 consists of:

125 a. A log of educational instruction and services that is
126 made contemporaneously with delivery of the instruction and
127 services and that designates by title any reading materials
128 used.

129 b. Samples of writings, worksheets, workbooks, or creative
130 materials used or developed by the student.

131
132 The portfolio must be preserved by the parent for 2 years and
133 made available for inspection by the district school
134 superintendent, or his or her designee, upon 15 days' written
135 notice. This subparagraph does not require the district school
136 superintendent to inspect the portfolio.

137 5. Provide for an annual educational evaluation which
138 documents the student's demonstration of educational progress at
139 a level commensurate with his or her ability, which may include:

140 a. Evaluation of the student's work portfolio by a
141 certified teacher selected by the parent;

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Bill No. HB 5103 (2014)

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- 142 b. Any nationally normed student achievement test
143 administered by a certified teacher;
- 144 c. A statewide, standardized assessment administered by a
145 certified teacher, at a location and under testing conditions
146 approved by the school district;
- 147 d. Evaluation by an individual holding a valid, active
148 license pursuant to the provisions of s. 490.003(7) or (8); or
- 149 e. Any other valid measurement tool mutually agreed upon
150 by the district school superintendent of the district in which
151 the student resides and the student's parent.
- 152 (c) The district school superintendent must review and
153 accept the results of the annual educational evaluation of a
54 participating student. If the student does not demonstrate
155 educational progress at a level commensurate with his or her
156 ability, the district school superintendent must notify the
157 parent, in writing, that such progress has not been achieved. If
158 the student remains eligible for categorical funds, the parent
159 has 1 year after the date of receipt of the written notification
160 to provide remedial instruction to the student. At the end of
161 the 1-year probationary period, the student must be reevaluated
162 pursuant to subparagraph (b)5. Continued participation in the
163 categorical funds program is contingent upon the student
164 demonstrating educational progress commensurate with her or his
165 ability at the end of the probationary period.
- 166 (d) The parent is responsible for procuring the services

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167 necessary to educate the student. Once the student receives
168 categorical funds, the district school board is not obligated to
169 provide the student with a free appropriate public education.
170 For purposes of s. 1003.57 and the Individuals with Disabilities
171 Education Act, a participating student has only those rights
172 that apply to all other unilaterally parentally placed students,
173 except that, when requested by the parent, school district
174 personnel must develop an individual educational plan in
175 accordance with subsection (7).

176 (e) The parent is responsible for the payment of all
177 eligible expenses in excess of the amount of categorical funds
178 in accordance with the terms agreed to between the parent and
179 the providers and may not receive any refund or rebate of any
180 expenditures made in accordance with subparagraph (b)3.

181 (f) A student who is eligible for categorical funds may
182 not receive a scholarship under part III of this chapter.

183 (5) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
184 ORGANIZATIONS.-A nonprofit scholarship-funding organization
185 participating in the Florida Tax Credit Scholarship Program
186 under s. 1002.395 may provide categorical funds for eligible
187 students. An eligible nonprofit scholarship-funding organization
188 must:

189 (a) Receive applications and determine student eligibility
190 in accordance with the requirements of this section. Once an
191 application is approved, the nonprofit scholarship-funding

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192 organization must provide the department with information on the
193 student to enable the school district to report the student for
194 funding in accordance with subsection (8). A nonprofit
195 scholarship-funding organization may charge the parent of an
196 eligible student up to a \$25 fee to provide categorical funds
197 but may not receive any other fees.

198 (b) Establish and maintain separate funds for each
199 eligible student.

200 (c) Verify qualifying expenditures before receipt of the
201 quarterly distribution by the department.

202 (d) Return any unused funds to the department when a
203 student is no longer eligible for categorical funds.

204 (e) Provide to the Auditor General and the department an
205 annual financial and compliance audit of its accounts and
206 records conducted by an independent certified public accountant
207 in accordance with rules adopted by the Auditor General. The
208 audit must be conducted in compliance with generally accepted
209 auditing standards and must include a report on financial
210 statements presented in accordance with generally accepted
211 accounting principles set forth by the American Institute of
212 Certified Public Accountants for not-for-profit organizations
213 and a determination of compliance with requirements in this
214 section. Audits must be provided to the Auditor General and the
215 Department of Education within 180 days after completion of the
216 nonprofit scholarship-funding organization's fiscal year. If a

COMMITTEE/SUBCOMMITTEE AMENDMENT

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217 nonprofit scholarship-funding organization does not submit an
218 annual audit, the Auditor General shall conduct the audit
219 required by this paragraph.

220 (f) Prepare and submit quarterly reports to the department
221 pursuant to paragraph (6) (f). In addition, a nonprofit
222 scholarship-funding organization must submit in a timely manner
223 any information requested by the department relating to the
224 categorical funds program.

225 (6) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department
226 must:

227 (a) Maintain a list of approved providers.

228 (b) Require each eligible nonprofit scholarship-funding
229 organization to verify eligible expenditures as provided in
230 subparagraph (4) (b)3. before reimbursement.

231 (c) Investigate any written complaint of a violation of
232 this section in accordance with the process established by s.
233 1002.395(9) (f).

234 (d) Notify an eligible nonprofit scholarship-funding
235 organization of any of the organization's identified students
236 who are receiving educational scholarships pursuant to part III
237 of this chapter.

238 (e) Notify an eligible nonprofit scholarship-funding
239 organization of any of the organization's identified students
240 who receive categorical funds from another eligible nonprofit
241 scholarship-funding organization or have been reported for

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242 funding by a school district or the Florida Virtual School.

243 (f) Require quarterly reports by an eligible nonprofit
244 scholarship-funding organization regarding the number of
245 students participating in the program, the providers of services
246 to students, and other information deemed necessary by the
247 department.

248 (7) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.-

249 (a) Upon the request of a parent submitted at least 60
250 days before a payment transfer date specified in paragraph
251 (8)(d), the school district in which the student resides shall
252 conduct an initial evaluation of a student in accordance with s.
253 1003.57. If a determination is made that the student has a
54 disability and needs special education and related services, an
255 individual educational plan must be developed.

256 (b) Evaluations and individual educational plans must be
257 completed within the timeframes set forth in rules of the State
258 Board of Education. If a student has been identified as a
259 student with a disability under the Individuals with
260 Disabilities Education Act pursuant to a current evaluation team
261 report but the student does not have an individual educational
262 plan because the student is not currently enrolled in a public
263 school, the school district shall prepare an individual
264 educational plan for the student.

265 (c) Upon completion of a student's individual educational
266 plan, the school district shall provide the parent with an

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267 estimate of the approximate amount of funds that the student may
268 receive in categorical funds.

269 (d) The school district in which an eligible student
270 resides must:

271 1. Review the annual educational evaluation in accordance
272 with paragraph (4) (c).

273 2. Annually review the individual educational plan of each
274 student receiving categorical funds in consultation with the
275 personnel of providers of the services selected by the parent
276 for the student under subparagraph (4) (b) 3.

277 (e) The school district developing the individual
278 educational plan is not obligated to provide a participating
279 student with a free appropriate public education. However, if,
280 at any time, a parent of a participating student decides to
281 enroll the student in the school district, the school district
282 must provide the student with a free appropriate public
283 education.

284 (8) CATEGORICAL FUNDING AND PAYMENT.—

285 (a) The maximum amount granted for an eligible student
286 with disabilities shall be calculated in accordance with s.
287 1002.39(10) (a).

288 (b) The school district shall report to the department for
289 funding all students who are receiving categorical funds. These
290 students must be reported separately from other students
291 reported for purposes of the Florida Education Finance Program.

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292 (c) Following notification on July 1, September 1,
293 December 1, or February 1 of the number of program participants,
294 the department shall transfer, from general revenue funds only,
295 the amount calculated under paragraph (a) from the school
296 district's total funding entitlement under the Florida Education
297 Finance Program and from authorized categorical funds to a
298 separate account for the categorical fund program for quarterly
299 disbursement to the nonprofit scholarship-funding organization
300 for participating students.

301 (d) After the department verifies the establishment of a
302 categorical funds for a participating student by the nonprofit
303 scholarship-funding organization, the department shall make
304 payments to the nonprofit scholarship-funding organization
305 selected by the parent in four equal amounts no later than
306 September 1, November 1, February 1, and April 1 of each
307 academic year in which the funds are in force.

308 (e) Any categorical funds remaining for an eligible
309 student are carried forward to the next fiscal year until
310 termination of the account. Categorical funds shall be
311 terminated if the student enrolls in and is reported for funding
312 in any public educational program under s. 1000.04(1), (3), or
313 (4); is determined ineligible for categorical funds under this
314 section; graduates from high school; or reaches 22 years of age,
315 whichever occurs first. Once categorical funds are terminated,
316 all remaining funds revert to the state.

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317 (9) LIABILITY.—No liability shall arise on the part of the
318 state based on the award or use of a categorical funds.

319 (10) RULES.—The State Board of Education shall adopt rules
320 to implement this section, including rules necessary to
321 coordinate the respective responsibilities of the department,
322 school districts, and nonprofit scholarship-funding
323 organizations regarding the funding and administration of
324 categorical funds; criteria, timelines, and a reporting format
325 for quarterly reports by nonprofit scholarship-funding
326 organizations; and a standard application form to be used by
327 parents and nonprofit scholarship-funding organizations.

328 Section 2. Subsection (13) of section 1003.01, Florida
329 Statutes, is amended to read:

330 1003.01 Definitions.—As used in this chapter, the term:

331 (13) "Regular school attendance" means the actual
332 attendance of a student during the school day as defined by law
333 and rules of the State Board of Education. Regular attendance
334 within the intent of s. 1003.21 may be achieved by ~~attendanee~~
335 ~~in~~:

336 (a) Attendance in a public school supported by public
337 funds;

338 (b) Attendance in a parochial, religious, or
339 denominational school;

340 (c) Attendance in a private school supported in whole or
341 in part by tuition charges or by endowments or gifts;

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342 (d) Participation in a home education program under s.
343 1002.41; that meets the requirements of chapter 1002; or

344 (e) Attendance in a private tutoring program under s.
345 1002.43; or

346 (f) Participation in the categorical fund program under s.
347 1002.411 that meets the requirements of chapter 1002.

348 Section 3. Paragraph (y) is added to subsection (3) of
349 section 11.45, Florida Statutes, to read:

350 11.45 Definitions; duties; authorities; reports; rules.-

351 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The
352 Auditor General may, pursuant to his or her own authority, or at
353 the direction of the Legislative Auditing Committee, conduct
54 audits or other engagements as determined appropriate by the
355 Auditor General of:

356 (y) The accounts and records of a nonprofit scholarship-
357 funding organization participating in the categorical fund
358 program established by s. 1002.411.

359 Section 4. This act shall take effect July 1, 2014.

360

361

362

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

364 Remove everything before the enacting clause and insert:

365 A bill to be entitled

366 An act relating to the categorical fund program;

236449 - hb 5103 strike all Dentel (amendment #3).docx

Published On: 3/18/2014 10:27:41 AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 5103 (2014)

Amendment No. 3

367 creating s. 1002.411, F.S.; establishing the
368 categorical fund program; providing for oversight by
369 the Department of Health; defining terms; providing
370 student eligibility criteria for receipt of
371 categorical funds; providing parent and student
372 responsibilities for program participation; specifying
373 allowable expenditures of funds; requiring an annual
374 evaluation of each participating student's educational
375 progress and school district review of the evaluation;
376 specifying that parents are responsible for procuring
377 educational services for a participating student;
378 specifying that school districts are not obligated to
379 provide a free appropriate public education for
380 participating students; prohibiting participating
381 students from participating in school choice
382 scholarship programs; authorizing a nonprofit
383 scholarship-funding organization to provide funds for
384 eligible students; specifying duties of nonprofit
385 scholarship-funding organizations for administration
386 and funding of funds, annual audits, and quarterly
387 reporting; specifying Department of Education duties
388 regarding approved service providers, oversight of
389 nonprofit scholarship-funding organizations,
390 investigation and adjudication of complaints, and
391 reporting by nonprofit scholarship-funding

236449 - hb 5103 strike all Dentel (amendment #3).docx

Published On: 3/18/2014 10:27:41 AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 5103 (2014)

Amendment No. 3

392 organizations; specifying school district duties
393 regarding initial evaluations and individual
394 educational plan development and review; providing a
395 calculation for funding; requiring school districts to
396 report participating students to the department for
397 funding; requiring quarterly transfer of funds by the
398 department to nonprofit scholarship-funding
399 organizations; providing for the carryforward of
400 remaining funds at the end of a fiscal year;
401 specifying the conditions under which funds are
402 terminated and providing for the reversion of funds;
403 exempting the state from liability regarding the award
04 or use of funds; requiring rulemaking; amending s.
405 1003.01, F.S.; revising the definition of the term
406 "regular school attendance" to add participation in
407 the categorical fund program; amending s. 11.45, F.S.;
408 authorizing the Auditor General to conduct audits of
409 the funds and records of nonprofit scholarship-funding
410 organizations participating in the categorical fund
411 program; providing an effective date.

COMMITTEE MEETING REPORT
Education Appropriations Subcommittee

3/18/2014 3:00:00PM

Location: Morris Hall (17 HOB)

PCB EDAS 14-02 : Education Funding

Favorable

| | Yea | Nay | No Vote | Absentee Yea | Absentee Nay |
|-----------------------|-----|----------------------|---------|-----------------|-----------------|
| Janet Adkins | X | | | | |
| Larry Ahern | X | | | | |
| Karen Castor Dentel | X | | | | |
| Heather Fitzenhagen | X | | | | |
| Mia Jones | | | | X | |
| Larry Lee, Jr. | X | | | | |
| H. Marlene O'Toole | X | | | | |
| W. Keith Perry | | | | X | |
| Jake Raburn | X | | | | |
| Betty Reed | X | | | | |
| Charlie Stone | X | | | | |
| Dwayne Taylor | X | | | | |
| Erik Fresen (Chair) | X | | | | |
| Total Yeas: 11 | | Total Nays: 0 | | | |

Committee meeting was reported out: Tuesday, March 18, 2014 5:07:11PM

