

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Appropriations Committee
 2 Representative Latvala offered the following:

Amendment (with title amendment)

Remove lines 656-811 and insert:

6 4. A scholarship of \$750 or an amount equal to the school
 7 district expenditure per student riding a school bus, whichever
 8 is greater, may be awarded to a student who is determined
 9 eligible pursuant to subparagraph (3) (a)1. or subparagraph
 10 (3) (a)2. and enrolled in a Florida public school that is
 11 different from the school to which the student was assigned or
 12 in a lab school as defined in s. 1002.32 if the school district
 13 does not provide the student with transportation to the school.

14 ~~5. Upon notification from the organization on July 1,~~
 15 ~~September 1, December 1, and February 1 that an application has~~
 16 ~~been approved for the program, the department shall verify that~~

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17 ~~the student is not prohibited from receiving a scholarship~~
18 ~~pursuant to subsection (6).~~ The organization must provide the
19 department with the documentation necessary to verify the
20 student's participation. Upon receiving the documentation
21 ~~verification~~, the department shall transfer, from state funds
22 only, the amount calculated pursuant to subparagraph 2. to the
23 organization for quarterly disbursement to parents of
24 participating students each school year in which the scholarship
25 is in force. For a student exiting a Department of Juvenile
26 Justice commitment program who chooses to participate in the
27 scholarship program, the amount of the Family Empowerment
28 Scholarship calculated pursuant to subparagraph 2. must be
29 transferred from the school district in which the student last
30 attended a public school before commitment to the Department of
31 Juvenile Justice. When a student enters the scholarship program,
32 the organization must receive all documentation required for the
33 student's participation, including the private school's and the
34 student's fee schedules, at least 30 days before the first
35 quarterly scholarship payment is made for the student.

36 6. The initial payment shall be made after the
37 organization's verification of admission acceptance, and
38 subsequent payments shall be made upon verification of continued
39 enrollment and attendance at the private school. Payment must be
40 by individual warrant made payable to the student's parent or by
41 funds transfer or any other means of payment that the department

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42 | deems to be commercially viable or cost-effective. If the
43 | payment is made by warrant, the warrant must be delivered by the
44 | organization to the private school of the parent's choice, and
45 | the parent shall restrictively endorse the warrant to the
46 | private school. An organization shall ensure that the parent to
47 | whom the warrant is made has restrictively endorsed the warrant
48 | to the private school for deposit into the account of the
49 | private school or that the parent has approved a funds transfer
50 | before any scholarship funds are deposited.

51 | (b)1. Scholarships for students determined eligible
52 | pursuant to paragraph (3) (b) are established for up to 20,000
53 | students annually beginning in the 2021-2022 school year.
54 | Beginning in the 2022-2023 school year, the maximum number of
55 | students participating in the scholarship program under this
56 | section shall annually increase by 1.0 percent of the state's
57 | total exceptional student education full-time equivalent student
58 | membership enrollment, not including gifted students. An
59 | eligible student who meets any of the following requirements
60 | shall be excluded from the maximum number of students if the
61 | student:

62 | a. Received specialized instructional services under the
63 | Voluntary Prekindergarten Education Program pursuant to s.
64 | 1002.66 during the previous school year and the student has a
65 | current IEP developed by the district local school board in
66 | accordance with rules of the State Board of Education;

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67 b. Is a dependent child of a member of the United States
68 Armed Forces, a foster child, or an adopted child;

69 c. Spent the prior school year in attendance at a Florida
70 public school or the Florida School for the Deaf and the Blind.
71 For purposes of this subparagraph, the term "prior school year
72 in attendance" means that the student was enrolled and reported
73 by:

74 (I) A school district for funding during either the
75 preceding October or February full-time equivalent student
76 membership ~~Florida Education Finance Program~~ surveys in
77 kindergarten through grade 12, which includes time spent in a
78 Department of Juvenile Justice commitment program if funded
79 under the Florida Education Finance Program;

80 (II) The Florida School for the Deaf and the Blind during
81 the preceding October or February full-time equivalent student
82 membership surveys in kindergarten through grade 12;

83 (III) A school district for funding during the preceding
84 October or February full-time equivalent student membership
85 ~~Florida Education Finance Program~~ surveys, was at least 4 years
86 of age when enrolled and reported, and was eligible for services
87 under s. 1003.21(1)(e); or

88 (IV) Received a John M. McKay Scholarship for Students
89 with Disabilities in the 2021-2022 school year.

90 2. For a student who has a Level I to Level III matrix of
91 services or a diagnosis by a physician or psychologist, the

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92 | calculated scholarship amount for a student participating in the
93 | program must be based upon the grade level and school district
94 | in which the student would have been enrolled as the total funds
95 | per unweighted full-time equivalent in the Florida Education
96 | Finance Program for a student in the basic exceptional student
97 | education program pursuant to s. 1011.62(1)(c)1. and (e)1.c.,
98 | plus a per full-time equivalent share of funds for all
99 | categorical programs, as funded in the General Appropriations
100 | Act, except that for the exceptional student education
101 | guaranteed allocation, as provided in s. 1011.62(1)(e)1.c. and
102 | 2., the funds must be allocated based on the school district's
103 | average exceptional student education guaranteed allocation
104 | funds per exceptional student education full-time equivalent
105 | student.

106 | 3. For a student with a Level IV or Level V matrix of
107 | services, the calculated scholarship amount must be based upon
108 | the school district to which the student would have been
109 | assigned as the total funds per full-time equivalent for the
110 | Level IV or Level V exceptional student education program
111 | pursuant to s. 1011.62(1)(c)2.a. or b., plus a per-full time
112 | equivalent share of funds for all categorical programs, as
113 | funded in the General Appropriations Act.

114 | 4. For a student who received a Gardiner Scholarship
115 | pursuant to s. 1002.385 in the 2020-2021 school year, the amount
116 | shall be the greater of the amount calculated pursuant to

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117 subparagraph 2. or the amount the student received for the 2020-
118 2021 school year.

119 5. For a student who received a John M. McKay Scholarship
120 pursuant to s. 1002.39 in the 2020-2021 school year, the amount
121 shall be the greater of the amount calculated pursuant to
122 subparagraph 2. or the amount the student received for the 2020-
123 2021 school year.

124 ~~6. Upon notification from an organization on July 1,~~
125 ~~September 1, December 1, and February 1 that an application has~~
126 ~~been approved for the program, the department shall verify that~~
127 ~~the student is not prohibited from receiving a scholarship~~
128 ~~pursuant to subsection (6).~~ The organization must provide the
129 department with the documentation necessary to verify the
130 student's participation.

131 7. Upon receiving the documentation verification, the
132 department shall release, from state funds only, the student's
133 scholarship funds to the organization, to be deposited into the
134 student's account in four equal amounts no later than September
135 1, November 1, February 1, and April 1 of each school year in
136 which the scholarship is in force.

137 8. Accrued interest in the student's account is in
138 addition to, and not part of, the awarded funds. Program funds
139 include both the awarded funds and accrued interest.

140 9. The organization may develop a system for payment of
141 benefits by funds transfer, including, but not limited to, debit

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142 cards, electronic payment cards, or any other means of payment
143 which the department deems to be commercially viable or cost-
144 effective. A student's scholarship award may not be reduced for
145 debit card or electronic payment fees. Commodities or services
146 related to the development of such a system must be procured by
147 competitive solicitation unless they are purchased from a state
148 term contract pursuant to s. 287.056.

149 10. Moneys received pursuant to this section do not
150 constitute taxable income to the qualified student or the parent
151 of the qualified student.

152 Section 5. Paragraph (j) of subsection (6), paragraph (d)
153 of subsection (9), and paragraph (a) of subsection (11) of
154 section 1002.395, Florida Statutes, are amended to read:

155 1002.395 Florida Tax Credit Scholarship Program.—

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

159 (j)1. May use eligible contributions received pursuant to
160 this section and ss. 212.099, 212.1832, and 1002.40 during the
161 state fiscal year in which such contributions are collected for
162 administrative expenses if the organization has operated as an
163 eligible nonprofit scholarship-funding organization for at least
164 the preceding 3 fiscal years and did not have any findings of
165 material weakness or material noncompliance in its most recent
166 audit under paragraph (m). Administrative expenses from eligible

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167 contributions may not exceed 3 percent of the total amount of
168 all scholarships funded by an eligible scholarship-funding
169 organization under this chapter. Such administrative expenses
170 must be reasonable and necessary for the organization's
171 management and distribution of scholarships funded under this
172 chapter. Administrative expenses may include developing or
173 contracting with rideshare programs or facilitating carpool
174 strategies for recipients of a transportation scholarship. No
175 funds authorized under this subparagraph shall be used for
176 lobbying or political activity or expenses related to lobbying
177 or political activity. Up to one-third of the funds authorized
178 for administrative expenses under this subparagraph may be used
179 for expenses related to the recruitment of contributions from
180 taxpayers. An eligible nonprofit scholarship-funding
181 organization may not charge an application fee.

182 2. Must expend for annual or partial-year scholarships an
183 amount equal to or greater than 75 percent of the net eligible
184 contributions remaining after administrative expenses during the
185 state fiscal year in which such contributions are collected. No
186 more than 25 percent of such net eligible contributions may be
187 carried forward to the following state fiscal year. All amounts
188 carried forward, for audit purposes, must be specifically
189 identified for particular students, by student name and the name
190 of the school to which the student is admitted, subject to the
191 requirements of ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g,

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192 and the applicable rules and regulations issued pursuant
193 thereto. Any amounts carried forward shall be expended for
194 annual or partial-year scholarships in the following state
195 fiscal year. No later than September 30 of each year, net
196 eligible contributions remaining on June 30 of each year that
197 are in excess of the 25 percent that may be carried forward
198 shall be used to provide scholarships to eligible students or
199 transferred to other eligible nonprofit scholarship-funding
200 organizations to provide scholarships for eligible students. All
201 transferred funds must be deposited by each eligible nonprofit
202 scholarship-funding organization receiving such funds into its
203 scholarship account. All transferred amounts received by any
204 eligible nonprofit scholarship-funding organization must be
205 separately disclosed in the annual financial audit required
206 under paragraph (m).

207 3. Must, before granting a scholarship for an academic
208 year, document each scholarship student's eligibility for that
209 academic year. A scholarship-funding organization may not grant
210 multiyear scholarships in one approval process.

211
212 Information and documentation provided to the Department of
213 Education and the Auditor General relating to the identity of a
214 taxpayer that provides an eligible contribution under this
215 section shall remain confidential at all times in accordance
216 with s. 213.053.

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

219 (d) Cross-check the list of participating scholarship
220 students with the public school enrollment lists to avoid
221 duplication and, when the Florida Education Finance Program is
222 recalculated, adjust the amount of state funds allocated to
223 school districts through the Florida Education Finance Program
224 based upon the results of the cross-check.

225 (11) SCHOLARSHIP AMOUNT AND PAYMENT.—

226 (a) The scholarship amount provided to any student for any
227 single school year by an eligible nonprofit scholarship-funding
228 organization from eligible contributions shall be for total
229 costs authorized under paragraph (6)(d), not to exceed annual
230 limits, which shall be determined as follows:

231 1. For a student who received a scholarship in the 2018-
232 2019 school year, who remains eligible, and who is enrolled in
233 an eligible private school, the amount shall be the greater
234 amount calculated pursuant to subparagraph 2. or a percentage of
235 the unweighted FTE funding amount for the 2018-2019 state fiscal
236 year and thereafter as follows:

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

239 b. Ninety-two percent for a student enrolled in grade 6
240 through grade 8.

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241 c. Ninety-six percent for a student enrolled in grade 9
242 through grade 12.

243 2. For students initially eligible in the 2019-2020 school
244 year or thereafter, the calculated amount for a student to
245 attend an eligible private school shall be calculated in
246 accordance with s. 1002.394(12)(a).

247 3. The scholarship amount awarded to a student enrolled in
248 a Florida public school ~~in which a student is enrolled and that~~
249 is different from the school to which the student was assigned
250 or in a lab school as defined in s. 1002.32, must be an amount
251 equal to the school district expenditure per student riding a
252 school bus or is limited to \$750, whichever is greater.

253 Section 6. Subsections (2) and (6) of section 1002.411,
254 Florida Statutes, are amended to read:

255 1002.411 Reading scholarship accounts.—

256 (2) ELIGIBILITY.—Contingent upon available funds, and on a
257 first-come, first-served basis, each student ~~in grades 3 through~~
258 ~~5~~ who is enrolled in a Florida public school in kindergarten
259 through grade 5 is eligible for a reading scholarship account if
260 the student has a substantial reading deficiency identified
261 under s. 1008.25(5)(a) or scored below a Level 3 on the ~~grade 3~~
262 ~~or grade 4~~ statewide, standardized English Language Arts (ELA)
263 assessment in the prior school year. An eligible student who is
264 classified as an English Language Learner and is enrolled in a
265 program or receiving services that are specifically designed to

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266 meet the instructional needs of English Language Learner
267 students shall receive priority.

268 (6) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.—

269 (a) By September 30, the school district shall notify the
270 parent of each student in kindergarten ~~grades 3~~ through grade 5
271 who has a substantial reading deficiency identified under s.
272 1008.25(5)(a) or scored below a level 3 on the statewide,
273 standardized ELA assessment in the prior school year of the
274 process to request and receive a reading scholarship, subject to
275 available funds.

276 (b) A school district may not prohibit instructional
277 personnel from providing services pursuant to this section on
278 the instructional personnel's school campus outside regular work
279 hours.

280 Section 7. Paragraph (b) of subsection (2) and paragraph
281 (d) of subsection (4) of section 1003.485, Florida Statutes, are
282 amended to read:

283 1003.485 The New Worlds Reading Initiative.—

284 (2) NEW WORLDS READING INITIATIVE; ADMINISTRATION.—The New
285 Worlds Reading Initiative is established under the department to
286 improve literacy skills and instill a love of reading by
287 providing high-quality, free books to students in kindergarten
288 through grade 5 who are reading below grade level.

289 (b) The administrator shall:

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290 1. Develop, in consultation with the Just Read, Florida!
291 Office under s. 1001.215, a selection of high-quality books
292 encompassing diverse subjects and genres for each grade level to
293 be mailed to students in the initiative.

294 2. Distribute books at no cost to students as provided in
295 paragraph (4)(c) either directly or through an agreement with a
296 book distribution company.

297 3. Assist local implementation of the initiative by
298 providing marketing materials to school districts and any
299 partnering nonprofit organizations to assist with public
300 awareness campaigns and other activities designed to increase
301 family engagement and instill a love of reading in students.

302 4. Maintain a clearinghouse for information on national,
303 state, and local nonprofit organizations that support efforts to
304 improve literacy and provide books to children.

305 5. Develop training materials for parents of students in
306 the initiative, including brief video training modules, which
307 engage families in reading and assist with improving student
308 literacy skills. The administrator shall periodically send, via
309 text message and e-mail, tips for facilitating reading at home
310 and hyperlinks to the video training modules.

311 6. Provide to teachers professional development and
312 resources that correlate with the books provided through the
313 initiative.

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314 ~~7.6.~~ Annually submit to the department an annual financial
315 report that includes, at a minimum, the amount of eligible
316 contributions received by the administrator; the amount spent on
317 each activity required by this paragraph, including
318 administrative expenses; and the number of students and
319 households served under the initiative.

320 ~~8.7.~~ Maintain separate accounts for operating funds and
321 funds for the purchase and delivery of books.

322 ~~9.8.~~ Expend eligible contributions received only for the
323 purchase and delivery of books and to implement the requirements
324 of this section, as well as for administrative expenses not to
325 exceed 2 percent of total eligible contributions.
326 Notwithstanding s. 1002.395(6)(j)2., the administrator may carry
327 forward up to 25 percent of eligible contributions to the
328 following state fiscal year for purposes authorized by this
329 subsection. Any eligible contributions in excess of the 25
330 percent carry forward not used to provide additional books
331 throughout the year to eligible students shall revert to the
332 state treasury.

333 ~~10.9.~~ Upon receipt of a contribution, provide the taxpayer
334 that made the contribution with a certificate of contribution. A
335 certificate of contribution must include the taxpayer's name
336 and, if available, its federal employer identification number;
337 the amount contributed; the date of contribution; and the name
338 of the administrator.

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339 (4) ELIGIBILITY; NOTIFICATION; SCHOOL DISTRICT
340 OBLIGATIONS.—

341 (d) Upon enrollment and at the beginning of each school
342 year, students must be provided options for specific book topics
343 or genres in order to maximize student interest in reading.

344 Section 8. Subsection (1) of section 1006.22, Florida
345 Statutes, is amended to read:

346 1006.22 Safety and health of students being transported.—
347 Maximum regard for safety and adequate protection of health are
348 primary requirements that must be observed by district school
349 boards in routing buses, appointing drivers, and providing and
350 operating equipment, in accordance with all requirements of law
351 and rules of the State Board of Education in providing
352 transportation pursuant to s. 1006.21:

353 (1)(a) District school boards shall use school buses, as
354 defined in s. 1006.25, for all regular transportation. Regular
355 transportation or regular use means transportation of students
356 to and from school or school-related activities that are part of
357 a scheduled series or sequence of events to the same location.
358 "Students" means, for the purposes of this section, students
359 enrolled in the public schools in prekindergarten disability
360 programs and in kindergarten through grade 12. District school
361 boards may regularly use motor vehicles other than school buses
362 only under the following conditions:

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363 1. When the transportation is for physically handicapped
364 or isolated students and the district school board has elected
365 to provide for the transportation of the student through written
366 or oral contracts or agreements.

367 2. When the transportation is a part of a comprehensive
368 contract for a specialized educational program between a
369 district school board and a service provider who provides
370 instruction, transportation, and other services.

371 3. When the transportation is provided through a public
372 transit system.

373 4. When the transportation is for trips to and from school
374 sites or agricultural education sites or for trips to and from
375 agricultural education-related events or competitions, but is
376 not for customary transportation between a student's residence
377 and such sites.

378 5. When the transportation is for trips to and from school
379 sites to allow students to participate in controlled open
380 enrollment ~~a career education program that is not offered at the~~
381 ~~high school in which such students are enrolled~~ but is not for
382 customary transportation between a student's residence and such
383 sites.

384 (b) When the transportation of students is provided, as
385 authorized in this subsection, in a vehicle other than a school
386 bus that is owned, operated, rented, contracted, or leased by a

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387 school district or charter school, the following provisions
388 shall apply:

389 1. The vehicle must be a passenger car or multipurpose
390 passenger vehicle or truck, as defined in 49 C.F.R. part 571,
391 designed to transport no more ~~fewer~~ than 10 students. Students
392 must be transported in designated seating positions and must use
393 the occupant crash protection system provided by the
394 manufacturer unless the student's physical condition prohibits
395 such use.

396 2. An authorized vehicle may not be driven by a student on
397 a public right-of-way. An authorized vehicle may be driven by a
398 student on school or private property as part of the student's
399 educational curriculum if no other student is in the vehicle.

400 3. The driver of an authorized vehicle transporting
401 students must maintain a valid driver license and must comply
402 with the requirements of the school district's locally adopted
403 safe driver plan, which includes review of driving records for
404 disqualifying violations.

405 4. The district school board or charter school must adopt
406 a policy that addresses procedures and liability for trips under
407 this paragraph, including a provision that school buses are to
408 be used whenever practical and specifying consequences for
409 violation of the policy.

410 Section 9. Subsection (3) is added to section 1006.27,
411 Florida Statutes, to read:

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412 1006.27 Pooling of school buses and related purchases by
413 district school boards; transportation services contracts.—

414 (3) The department shall develop a grant program to
415 improve access to reliable and safe transportation for students
416 who attend school through controlled open enrollment and to
417 support innovative solutions that increase the efficiency of
418 public school transportation.

419 (a) Grant proposals may include:

420 1. Transportation resource planning and sharing among
421 school districts and local governments.

422 2. Developing or contracting with rideshare programs or
423 developing carpool strategies.

424 3. Developing options to reduce costs and increase
425 efficiencies while improving access to transportation options
426 for families.

427 4. Developing options to address personnel challenges.

428 5. Expanding the use of transportation funds under ss.
429 1002.394, 1002.395, and 1011.68 to help cover the cost of
430 transporting students to and from school.

431 (b) The department shall publish on its website, by
432 December 31, 2023, an interim report and by December 31, 2024, a
433 final report that includes:

434 1. The best practices used by grant recipients to increase
435 transportation options for students, including any
436 transportation barriers addressed by grant recipients.

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437 2. The number of students served by grant recipients
438 including the number of students transported to a school that is
439 different from the school to which the student is assigned.

440 Section 10. Subsection (5) of section 1011.68, Florida
441 Statutes, is amended to read:

442 1011.68 Funds for student transportation.—The annual
443 allocation to each district for transportation to public school
444 programs, including charter schools as provided in s.
445 1002.33(17)(b), of students in membership in kindergarten
446 through grade 12 and in migrant and exceptional student programs
447 below kindergarten shall be determined as follows:

448 (5) Funds allocated or apportioned for the payment of
449 student transportation services may be used to pay for
450 transportation of students to and from school on local general
451 purpose transportation systems. Student transportation funds may
452 also be used to pay for transportation of students to and from
453 school in private passenger cars and boats when ~~the~~
454 transportation on a school bus is impractical or when the
455 transportation is for isolated students, or students with
456 disabilities, or to support parents or carpools, as defined by
457 rule. Subject to the rules of the State Board of Education, each
458 school district shall determine and report the number of
459 assigned students using general purpose transportation private
460 passenger cars and boats. The allocation per student must be
461 equal to the allocation per student riding a school bus.

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

Remove lines 19-22 and insert:
the scholarship amount for students enrolled in
certain public schools or lab schools; revising
terminology; amending s. 1002.395, F.S.; revising
duties of the department under the Florida Tax Credit
Scholarship Program; authorizing administrative
expenses to include certain contracts and strategies
relating to the transportation of students; revising
the scholarship amount for students enrolled in
certain public schools or lab schools; amending s.
1002.411, F.S.; revising student eligibility
requirements for reading scholarship accounts;
providing that a school district may not prohibit
instructional personnel from providing services during
specified time periods; amending s. 1003.485, F.S.;
requiring the administrator of the New Worlds Reading
Initiative to provide specified professional
development and resources to teachers; requiring
students be provided with specified options upon
enrollment; amending s. 1006.22, F.S.; revising the
requirements for the use of motor vehicles other than
school buses for the transportation of students;

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487 | amending s. 1006.27, F.S.; requiring the department to
488 | develop a grant program for specified purposes
489 | relating to the transportation of students; providing
490 | requirements for the program; requiring the department
491 | to publish on its website an interim and final report
492 | by specified dates; providing requirements for such
493 | reports; amending s. 1011.68, F.S.; revising the
494 | requirements for specified student transportation
495 | funds to be used to pay for transportation in
496 | specified vehicles; amending s. 1002.40, F.S.;
497 | revising Department of Education duties under the Hope
498 | Scholarship Program; amending s.