



1 A bill to be entitled
2 An act relating to home education; amending s.
3 1002.41, F.S.; specifying that a home education
4 program is not a school district program and is
5 registered with the district school superintendent
6 only for the purpose of complying with the state's
7 attendance requirements; revising the content
8 requirements of a notice of enrollment of a student in
9 a home education program; requiring the district
10 school superintendent to immediately register a home
11 education program upon receipt of the notice;
12 prohibiting a school district from requiring
13 additional information or verification of a home
14 education student except in specified circumstances;
15 authorizing a school district to provide home
16 education program students with access to certain
17 courses and programs offered by the school district;
18 requiring reporting and funding through the Florida
19 Education Finance Program; requiring home education
20 program students be provided access to certain
21 certifications and assessments offered by the school
22 district; prohibiting a school district from taking
23 certain actions against a home education program
24 student's parent unless such action is necessary for a
25 school district program; amending s. 1003.21, F.S.;



26 | prohibiting a district school superintendent from
27 | requiring certain evidence relating to a child's age
28 | from children enrolling in specified schools and
29 | programs; amending s. 1003.26, F.S.; authorizing a
30 | school district superintendent to refer certain cases
31 | relating to student nonenrollment to the child study
32 | team of certain schools; requiring the child study
33 | team to provide specified services in such instances;
34 | conforming cross-references; amending s. 1003.27,
35 | F.S.; requiring a school and school district to comply
36 | with specified provisions before instituting criminal
37 | prosecution against certain parents relating to
38 | compulsory school attendance; amending s. 1006.15,
39 | F.S.; revising the standards required for a home
40 | education student to participate in extracurricular
41 | activities; amending s. 1007.271, F.S.; prohibiting
42 | the limitation of dual enrollment course enrollments
43 | under certain circumstances; deleting a requirement
44 | for a home education student to provide his or her own
45 | instructional materials; revising the requirements for
46 | home education and private school articulation
47 | agreements; prohibiting dual enrollment course and
48 | program limitations for home education students from
49 | exceeding limitations for other students; providing an
50 | exemption from the grade point average requirement for



51 initial enrollment in a dual enrollment program for
52 certain home education students; amending s. 1002.385,
53 F.S.; conforming cross-references; providing a
54 contingent appropriation; providing an effective date.
55

56 Be It Enacted by the Legislature of the State of Florida:
57

58 Section 1. Subsections (1) and (2) of section 1002.41,
59 Florida Statutes, are amended, and subsections (11), (12), and
60 (13) are added to that section, to read:

61 1002.41 Home education programs.—

62 (1) As used in this section, the term a "home education
63 program" has the same meaning as is defined in s. 1002.01. A
64 home education program is not a school district program and is
65 registered with the district school superintendent only for the
66 purpose of complying with the state's attendance requirements
67 under s. 1003.21(1). The parent is not required to hold a valid
68 regular Florida teaching certificate.

69 (a) The parent, as defined in s. 1000.21, who establishes
70 and maintains a home education program shall notify the district
71 school superintendent of the county in which the parent resides
72 of her or his intent to establish and maintain a home education
73 program. The notice must ~~shall~~ be in writing, signed by the
74 parent, and ~~shall~~ include the full legal names, addresses, and
75 birthdates of all children who shall be enrolled as students in



76 | the home education program. The notice must ~~shall~~ be filed in
77 | the district school superintendent's office within 30 days of
78 | the establishment of the home education program.

79 | (b) The district school superintendent shall accept the
80 | notice and immediately register the home education program upon
81 | receipt of the notice. The district may not require any
82 | additional information or verification from the parent unless
83 | the student chooses to participate in a school district program
84 | or service. The district school superintendent may not assign a
85 | grade level to the home education student or include a social
86 | security number or any other personal information of the student
87 | in any school district or state database unless the student
88 | chooses to participate in a school district program or service.

89 | (c) The parent shall file a written notice of termination
90 | upon completion of the home education program with ~~shall be~~
91 | ~~filed in~~ the district school superintendent, along with the
92 | annual evaluation required in paragraph (f), within
93 | ~~superintendent's office within 30 days of~~ after said
94 | termination.

95 | (d) ~~(b)~~ The parent shall maintain a portfolio of records
96 | and materials. The portfolio must ~~shall~~ consist of the
97 | following:

98 | 1. A log of educational activities that is made
99 | contemporaneously with the instruction and that designates by
100 | title any reading materials used.



101 2. Samples of any writings, worksheets, workbooks, or
102 creative materials used or developed by the student.

103 (e) The parent shall determine the content of the
104 portfolio, preserve it ~~shall be preserved by the parent~~ for 2
105 years, and make it ~~shall be made~~ available for inspection, if
106 requested, by the district school superintendent, or the
107 district school superintendent's agent, upon 15 days' written
108 notice. Nothing in this section shall require the district
109 school superintendent to inspect the portfolio.

110 (f) ~~(e)~~ The parent shall provide for an annual educational
111 evaluation in which is documented the student's demonstration of
112 educational progress at a level commensurate with her or his
113 ability. The parent shall select the method of evaluation and
114 shall file a copy of the evaluation annually with the district
115 school superintendent's office in the county in which the
116 student resides. The annual educational evaluation shall consist
117 of one of the following:

118 1. A teacher selected by the parent shall evaluate the
119 student's educational progress upon review of the portfolio and
120 discussion with the student. Such teacher shall hold a valid
121 regular Florida certificate to teach academic subjects at the
122 elementary or secondary level;

123 2. The student shall take any nationally normed student
124 achievement test administered by a certified teacher;

125 3. The student shall take a state student assessment test



126 used by the school district and administered by a certified
127 teacher, at a location and under testing conditions approved by
128 the school district;

129 4. The student shall be evaluated by an individual holding
130 a valid, active license pursuant to the provisions of s.
131 490.003(7) or (8); or

132 5. The student shall be evaluated with any other valid
133 measurement tool as mutually agreed upon by the district school
134 superintendent of the district in which the student resides and
135 the student's parent.

136 (2) The district school superintendent shall ~~review and~~
137 accept the results of the annual educational evaluation of the
138 student in a home education program. If the student does not
139 demonstrate educational progress at a level commensurate with
140 her or his ability, the district school superintendent shall
141 notify the parent, in writing, that such progress has not been
142 achieved. The parent shall have 1 year from the date of receipt
143 of the written notification to provide remedial instruction to
144 the student. At the end of the 1-year probationary period, the
145 student shall be reevaluated as specified in paragraph (1)(f)
146 ~~(1)(e)~~. Continuation in a home education program shall be
147 contingent upon the student demonstrating educational progress
148 commensurate with her or his ability at the end of the
149 probationary period.

150 (11) A school district may provide access to career and



151 technical courses and programs for a home education program
152 student who enrolls in a public school solely for the career and
153 technical courses or programs. The school district that provides
154 the career and technical courses and programs shall report each
155 student as a full-time equivalent student in the class and in a
156 manner prescribed by the department, and funding shall be
157 provided through the Florida Education Finance Program pursuant
158 to s. 1011.62.

159 (12) Industry certifications, national assessments, and
160 statewide, standardized assessments offered by a school district
161 shall be available to home education program students. Each
162 school district shall notify home education program students of
163 the available certifications and assessments; the date, time,
164 and locations for the administration of each certification and
165 assessment; and the deadline for notifying the school district
166 of the student's intent to participate and the student's
167 preferred location.

168 (13) A school district may not further regulate, exercise
169 control over, or require documentation from parents of home
170 education program students beyond the requirements of this
171 section unless the regulation, control, or documentation is
172 necessary for participation in a school district program.

173 Section 2. Subsection (4) of section 1003.21, Florida
174 Statutes, is amended to read:

175 1003.21 School attendance.—



176 (4) Before admitting a child to kindergarten, the
177 principal shall require evidence that the child has attained the
178 age at which he or she should be admitted in accordance with the
179 provisions of subparagraph (1)(a)2. The district school
180 superintendent may require evidence of the age of any child who
181 is being enrolled in public school and who the district school
182 superintendent ~~whom he or she~~ believes to be within the limits
183 of compulsory attendance as provided for by law; however, the
184 district school superintendent may not require evidence from any
185 child who meets regular attendance requirements by attending a
186 school or program listed in s. 1003.01(13)(b)-(e). If the first
187 prescribed evidence is not available, the next evidence
188 obtainable in the order set forth below shall be accepted:

189 (a) A duly attested transcript of the child's birth record
190 filed according to law with a public officer charged with the
191 duty of recording births;

192 (b) A duly attested transcript of a certificate of baptism
193 showing the date of birth and place of baptism of the child,
194 accompanied by an affidavit sworn to by the parent;

195 (c) An insurance policy on the child's life that has been
196 in force for at least 2 years;

197 (d) A bona fide contemporary religious record of the
198 child's birth accompanied by an affidavit sworn to by the
199 parent;

200 (e) A passport or certificate of arrival in the United



201 States showing the age of the child;

202 (f) A transcript of record of age shown in the child's
203 school record of at least 4 years prior to application, stating
204 date of birth; or

205 (g) If none of these evidences can be produced, an
206 affidavit of age sworn to by the parent, accompanied by a
207 certificate of age signed by a public health officer or by a
208 public school physician, or, if these are not available in the
209 county, by a licensed practicing physician designated by the
210 district school board, which states that the health officer or
211 physician has examined the child and believes that the age as
212 stated in the affidavit is substantially correct. Children and
213 youths who are experiencing homelessness and children who are
214 known to the department, as defined in s. 39.0016, shall be
215 given temporary exemption from this section for 30 school days.

216 Section 3. Paragraph (f) of subsection (1) and paragraph
217 (a) of subsection (2) of section 1003.26, Florida Statutes, are
218 amended to read:

219 1003.26 Enforcement of school attendance.—The Legislature
220 finds that poor academic performance is associated with
221 nonattendance and that school districts must take an active role
222 in promoting and enforcing attendance as a means of improving
223 student performance. It is the policy of the state that each
224 district school superintendent be responsible for enforcing
225 school attendance of all students subject to the compulsory



226 | school age in the school district and supporting enforcement of
227 | school attendance by local law enforcement agencies. The
228 | responsibility includes recommending policies and procedures to
229 | the district school board that require public schools to respond
230 | in a timely manner to every unexcused absence, and every absence
231 | for which the reason is unknown, of students enrolled in the
232 | schools. District school board policies shall require the parent
233 | of a student to justify each absence of the student, and that
234 | justification will be evaluated based on adopted district school
235 | board policies that define excused and unexcused absences. The
236 | policies must provide that public schools track excused and
237 | unexcused absences and contact the home in the case of an
238 | unexcused absence from school, or an absence from school for
239 | which the reason is unknown, to prevent the development of
240 | patterns of nonattendance. The Legislature finds that early
241 | intervention in school attendance is the most effective way of
242 | producing good attendance habits that will lead to improved
243 | student learning and achievement. Each public school shall
244 | implement the following steps to promote and enforce regular
245 | school attendance:

246 | (1) CONTACT, REFER, AND ENFORCE.—

247 | (f)1. If the parent of a child who has been identified as
248 | exhibiting a pattern of nonattendance enrolls the child in a
249 | home education program pursuant to chapter 1002, the district
250 | school superintendent shall provide the parent a copy of s.



251 1002.41 and the accountability requirements of this paragraph.
252 The district school superintendent shall also refer the parent
253 to a home education review committee composed of the district
254 contact for home education programs and at least two home
255 educators selected by the parent from a district list of all
256 home educators who have conducted a home education program for
257 at least 3 years and who have indicated a willingness to serve
258 on the committee. The home education review committee shall
259 review the portfolio of the student, as defined by s. 1002.41,
260 every 30 days during the district's regular school terms until
261 the committee is satisfied that the home education program is in
262 compliance with s. 1002.41(1)(d) ~~s. 1002.41(1)(b)~~. The first
263 portfolio review must occur within the first 30 calendar days of
264 the establishment of the program. The provisions of subparagraph
265 2. do not apply once the committee determines the home education
266 program is in compliance with s. 1002.41(1)(d) ~~s. 1002.41(1)(b)~~.

267 2. If the parent fails to provide a portfolio to the
268 committee, the committee shall notify the district school
269 superintendent. The district school superintendent shall then
270 terminate the home education program and require the parent to
271 enroll the child in an attendance option that meets the
272 definition of "regular school attendance" under s.
273 1003.01(13)(a), (b), (c), or (e), within 3 days. Upon
274 termination of a home education program pursuant to this
275 subparagraph, the parent shall not be eligible to reenroll the



276 child in a home education program for 180 calendar days. Failure
277 of a parent to enroll the child in an attendance option as
278 required by this subparagraph after termination of the home
279 education program pursuant to this subparagraph shall constitute
280 noncompliance with the compulsory attendance requirements of s.
281 1003.21 and may result in criminal prosecution under s.
282 1003.27(2). Nothing contained herein shall restrict the ability
283 of the district school superintendent, or the ability of his or
284 her designee, to review the portfolio pursuant to s.
285 1002.41(1)(e) ~~s. 1002.41(1)(b)~~.

286 (2) GIVE WRITTEN NOTICE.—

287 (a) Under the direction of the district school
288 superintendent, a designated school representative shall give
289 written notice that requires enrollment or attendance within 3
290 days after the date of notice, in person or by return-receipt
291 mail, to the parent when no valid reason is found for a
292 student's nonenrollment in school. If the notice and requirement
293 are ignored, the designated school representative shall report
294 the case to the district school superintendent, who ~~and~~ may
295 refer the case to the child study team in paragraph (1)(b) at
296 the school the student would be assigned according to district
297 school board attendance area policies or to the case staffing
298 committee, established pursuant to s. 984.12. The child study
299 team shall diligently facilitate intervention services and shall
300 report the case back to the district school superintendent only



301 when all reasonable efforts to resolve the nonenrollment
302 behavior are exhausted. If the parent still refuses to cooperate
303 or enroll the child in school, the district school
304 superintendent shall take such steps as are necessary to bring
305 criminal prosecution against the parent.

306 Section 4. Subsection (2) of section 1003.27, Florida
307 Statutes, is amended to read:

308 1003.27 Court procedure and penalties.—The court procedure
309 and penalties for the enforcement of the provisions of this
310 part, relating to compulsory school attendance, shall be as
311 follows:

312 (2) NONENROLLMENT AND NONATTENDANCE CASES.—

313 (a) In each case of nonenrollment or of nonattendance upon
314 the part of a student who is required to attend some school,
315 when no valid reason for such nonenrollment or nonattendance is
316 found, the district school superintendent shall institute a
317 criminal prosecution against the student's parent. However,
318 criminal prosecution may not be instituted against the student's
319 parent until the school and school district have complied with
320 s. 1003.26.

321 (b) Each public school principal or the principal's
322 designee shall notify the district school board of each minor
323 student under its jurisdiction who accumulates 15 unexcused
324 absences in a period of 90 calendar days. ~~Each designee of the~~
325 ~~governing body of each private school, and each parent whose~~



326 ~~child is enrolled in a home education program, may provide the~~
327 ~~Department of Highway Safety and Motor Vehicles with the legal~~
328 ~~name, sex, date of birth, and social security number of each~~
329 ~~minor student under his or her jurisdiction who fails to satisfy~~
330 ~~relevant attendance requirements and who fails to otherwise~~
331 ~~satisfy the requirements of s. 322.091.~~ The district school
332 superintendent must provide the Department of Highway Safety and
333 Motor Vehicles the legal name, sex, date of birth, and social
334 security number of each minor student who has been reported
335 under this paragraph and who fails to otherwise satisfy the
336 requirements of s. 322.091. The Department of Highway Safety and
337 Motor Vehicles may not issue a driver license or learner's
338 driver license to, and shall suspend any previously issued
339 driver license or learner's driver license of, any such minor
340 student, pursuant to the provisions of s. 322.091.

341 (c) Each designee of the governing body of each private
342 school and each parent whose child is enrolled in a home
343 education program may provide the Department of Highway Safety
344 and Motor Vehicles with the legal name, sex, date of birth, and
345 social security number of each minor student under his or her
346 jurisdiction who fails to satisfy relevant attendance
347 requirements and who fails to otherwise satisfy the requirements
348 of s. 322.091. The Department of Highway Safety and Motor
349 Vehicles may not issue a driver license or learner's driver
350 license to, and shall suspend any previously issued driver



351 license or learner's driver license of, any such minor student
352 pursuant to s. 322.091.

353 Section 5. Paragraph (c) of subsection (3) of section
354 1006.15, Florida Statutes, is amended to read:

355 1006.15 Student standards for participation in
356 interscholastic and intrascholastic extracurricular student
357 activities; regulation.—

358 (3)

359 (c) An individual home education student is eligible to
360 participate at the public school to which the student would be
361 assigned according to district school board attendance area
362 policies or which the student could choose to attend pursuant to
363 s. 1002.31, or may develop an agreement to participate at a
364 private school, in the interscholastic extracurricular
365 activities of that school, provided the following conditions are
366 met:

367 1. The home education student must meet the requirements
368 of the home education program pursuant to s. 1002.41.

369 2. During the period of participation at a school, the
370 home education student must demonstrate educational progress as
371 required in paragraph (b) in all subjects taken in the home
372 education program by a method of evaluation agreed upon by the
373 parent and the school principal which may include: review of the
374 student's work by a certified teacher chosen by the parent;
375 grades earned through correspondence; grades earned in courses



376 taken at a Florida College System institution, university, or
377 trade school; standardized test scores above the 35th
378 percentile; or any other method designated in s. 1002.41.

379 3. The home education student must meet the same residency
380 requirements as other students in the school at which he or she
381 participates.

382 4. The home education student must meet the same standards
383 of acceptance, behavior, and performance as required of other
384 students in extracurricular activities.

385 5. The student must register with the school his or her
386 intent to participate in interscholastic extracurricular
387 activities as a representative of the school before
388 participation ~~the beginning date of the season for the activity~~
389 ~~in which he or she wishes to participate~~. A home education
390 student must be able to participate in curricular activities if
391 that is a requirement for an extracurricular activity.

392 6. A student who transfers from a home education program
393 to a public school before or during the first grading period of
394 the school year is academically eligible to participate in
395 interscholastic extracurricular activities during the first
396 grading period provided the student has a successful evaluation
397 from the previous school year, pursuant to subparagraph 2.

398 7. Any public school or private school student who has
399 been unable to maintain academic eligibility for participation
400 in interscholastic extracurricular activities is ineligible to



401 participate in such activities as a home education student until
402 the student has successfully completed one grading period in
403 home education pursuant to subparagraph 2. to become eligible to
404 participate as a home education student.

405 Section 6. Subsections (3) and (13) and paragraph (b) of
406 subsection (24) of section 1007.271, Florida Statutes, are
407 amended to read:

408 1007.271 Dual enrollment programs.—

409 (3) Student eligibility requirements for initial
410 enrollment in college credit dual enrollment courses must
411 include a 3.0 unweighted high school grade point average and the
412 minimum score on a common placement test adopted by the State
413 Board of Education which indicates that the student is ready for
414 college-level coursework. Student eligibility requirements for
415 continued enrollment in college credit dual enrollment courses
416 must include the maintenance of a 3.0 unweighted high school
417 grade point average and the minimum postsecondary grade point
418 average established by the postsecondary institution. Regardless
419 of meeting student eligibility requirements for continued
420 enrollment, a student may lose the opportunity to participate in
421 a dual enrollment course if the student is disruptive to the
422 learning process such that the progress of other students or the
423 efficient administration of the course is hindered. Student
424 eligibility requirements for initial and continued enrollment in
425 career certificate dual enrollment courses must include a 2.0



426 unweighted high school grade point average. Exceptions to the
427 required grade point averages may be granted on an individual
428 student basis if the educational entities agree and the terms of
429 the agreement are contained within the dual enrollment
430 articulation agreement established pursuant to subsection (21).
431 Florida College System institution boards of trustees may
432 establish additional initial student eligibility requirements,
433 which shall be included in the dual enrollment articulation
434 agreement, to ensure student readiness for postsecondary
435 instruction. Additional requirements included in the agreement
436 may not arbitrarily prohibit students who have demonstrated the
437 ability to master advanced courses from participating in dual
438 enrollment courses or limit the number of dual enrollment
439 courses in which a student may enroll based solely upon
440 enrollment by the student at an independent postsecondary
441 institution.

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

449 1. Provide proof of enrollment in a home education program
450 pursuant to s. 1002.41.



451 2. Be responsible for his or her own ~~instructional~~
452 ~~materials~~ and transportation unless provided for in the
453 articulation agreement.

454 3. Sign a home education articulation agreement pursuant
455 to paragraph (b).

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

465 1. A delineation of courses and programs available to
466 dually enrolled home education students. Courses and programs
467 may be added, revised, or deleted at any time by the
468 postsecondary institution. Any course or program limitations may
469 not exceed the limitations for other dually enrolled students.

470 2. The initial and continued eligibility requirements for
471 home education student participation, not to exceed those
472 required of other dually enrolled students. A high school grade
473 point average may not be required for home education students
474 who meet the minimum score on a common placement test adopted by
475 the State Board of Education which indicates that the student is



476 ready for college-level coursework; however, home education
477 student eligibility requirements for continued enrollment in
478 dual enrollment courses must include the maintenance of the
479 minimum postsecondary grade point average established by the
480 postsecondary institution.

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

483 4. A copy of the statement on transfer guarantees
484 developed by the Department of Education under subsection (15).

485 (24)

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

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

499 2. The initial and continued eligibility requirements for
500 private school student participation, not to exceed those



501 required of other dual enrollment students.

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

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

507 5. A provision expressing that costs associated with
508 tuition and fees, including registration, and laboratory fees,
509 will not be passed along to the student.

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

514 Section 7. Paragraph (1) of subsection (5) and paragraph
515 (a) of subsection (11) of section 1002.385, Florida Statutes,
516 are amended to read:

517 1002.385 The Gardiner Scholarship.—

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

521 (1) Fees for an annual evaluation of educational progress
522 by a state-certified teacher under s. 1002.41(1)(f) ~~s.~~
523 ~~1002.41(1)(e)~~, if this option is chosen for a home education
524 student.

525



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

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

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

547 1. Affirm that the student is enrolled in a program that
548 meets regular school attendance requirements as provided in s.
549 1003.01(13)(b)-(d).

550 2. Affirm that the program funds are used only for



551 authorized purposes serving the student's educational needs, as
552 described in subsection (5).

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

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

557 b. Providing an annual evaluation in accordance with s.
558 1002.41(1)(f) ~~s. 1002.41(1)(e)~~; or

559 c. Requiring the child to take any preassessments and
560 postassessments selected by the provider if the child is 4 years
561 of age and is enrolled in a program provided by an eligible
562 Voluntary Prekindergarten Education Program provider. A student
563 with disabilities for whom a preassessment and postassessment is
564 not appropriate is exempt from this requirement. A participating
565 provider shall report a student's scores to the parent.

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

569

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

572 Section 8. Contingent upon CS/HB 7055 or similar
573 legislation in the 2018 Regular Session of the Legislature or an
574 extension thereof failing to become law, for the 2018-2019
575 fiscal year, the sum of \$550,000 in recurring funds from the



CS/CS/HB 731, Engrossed 1

2018

576 | General Revenue Fund is appropriated to the Department of
577 | Education to be used by the Division of Florida Colleges to
578 | reimburse eligible colleges for the instructional materials
579 | pursuant to s. 1007.271(13), Florida Statutes.

580 | Section 9. This act shall take effect July 1, 2018.