

## **HB 7055 Additional Accountability Measures for Private Schools Participating in State Scholarship Programs**

- Require each owner or operator of the private school to undergo a level 2 background screening as provided under chapter 435. Additional disqualifying offenses (attached).
- Publish on the school's website, or in a written format, information for parents regarding the school, including, but not limited to, programs, services, and the qualifications of classroom teachers.
- At a minimum, provide the parent of each scholarship student with a written explanation of the student's progress on a *quarterly basis*.
- Require that a private school must notify the parent of each scholarship student at least 30 calendar days before a transfer of ownership of a private school.
- An owner or operator of a private school that has been deemed ineligible to participate in a scholarship program pursuant to this chapter may not transfer ownership or management authority of the school to a relative in order to participate in the scholarship program as the same school or a new school.
  - Term “relative” means father, mother, son, daughter, grandfather, grandmother, brother, sister, uncle, aunt, cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.
- If the private school received more than \$250,000 in funds from scholarships awarded under this chapter in a state fiscal year, the private school must submit the report (Agreed Upon Procedures or AUP) by September 15 to the scholarship funding organization that awarded the majority of the school’s scholarship funds. *A school that received more than \$250,000 in scholarship funds only through the McKay Scholarship must submit the annual report to the Department of Education.*

*NOTE 1: The new statute addresses the cumulative issue. In the present statute, the school had to report if they received more than \$250 from one scholarship. With the new statute, if a school receives \$150K from CTC and \$100K from Gardiner’s or McKay, they would need to submit the report.*

*NOTE 2: For schools that have never submitted an AUP, the first time it will be due will be **September 15, 2019**.*

<p>Prepared by The Coalition of McKay Scholarship Schools Disclaimer: This is not a legal document or an exhaustive review of the statute. For more information concerning the changes, contact FLDOE.</p>
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## **Disqualifying offenses added to section 435.04, F.S.**

- Any authorizing statutes, if the offense was a felony.
- This chapter, if the offense was a felony.
- Section 409.920, F.S. relating to Medicaid provider fraud.
- Section 409.9201, F.S. relating to Medicaid fraud.
- Section 741.28, F.S. relating to domestic violence.
- Section 817.034, F.S. relating to fraudulent acts through mail, wire, radio, electromagnetic, photoelectronic, or photooptical systems.
- Section 817.234, F.S. relating to false and fraudulent insurance claims.
- Section 817.505, F.S. relating to patient brokering.
- Section 817.568, F.S. relating to criminal use of personal identification information.
- Section 817.60, F.S. relating to obtaining a credit card through fraudulent means.
- Section 817.61, F.S. relating to fraudulent use of credit cards, if the offense was a felony.
- Section 831.01, F.S. relating to forgery.
- Section 831.02, F.S. relating to uttering forged instruments.
- Section 831.07, F.S. relating to forging bank bills, checks, drafts, or promissory notes.
- Section 831.09, F.S. relating to uttering forged bank bills, checks, drafts, or promissory notes.
- Section 831.30, F.S. relating to fraud in obtaining medicinal drugs.
- Section 831.31, F.S. relating to the sale, manufacture, delivery, or possession with the intent to sell, manufacture, or deliver any counterfeit controlled substance, if the offense was a felony.