

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Jones offered the following:

**Amendment**

Remove lines 3057-3136 and insert:

(c) In making such a determination, may consider factors that include, but are not limited to, acts or omissions by an owner or operator which led to a previous denial, suspension, or revocation of participation in a state or federal education scholarship program; an owner's or operator's failure to reimburse the department or scholarship-funding organization for scholarship funds improperly received or retained by a school; the imposition of a prior criminal sanction related to an owner's or operator's management or operation of an educational

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14 institution; the imposition of a civil fine or administrative  
15 fine, license revocation or suspension, or program eligibility  
16 suspension, termination, or revocation related to an owner's or  
17 operator's management or operation of an educational  
18 institution; or other types of criminal proceedings in which an  
19 owner or operator was found guilty of, regardless of  
20 adjudication, or entered a plea of nolo contendere or guilty to,  
21 any offense involving fraud, deceit, dishonesty, or moral  
22 turpitude.

23 (d) May immediately suspend payment of scholarship funds  
24 if it is determined that there is probable cause to believe that  
25 there is:

26 1. An imminent threat to the health, safety, or welfare of  
27 the students;

28 2. A previous pattern of failure to comply with this  
29 section; or

30 3. Fraudulent activity on the part of the private school.  
31 Notwithstanding s. 1002.22, in incidents of alleged fraudulent  
32 activity pursuant to this section, the department's Office of  
33 Inspector General is authorized to release personally  
34 identifiable records or reports of students to the following  
35 persons or organizations:

36 a. A court of competent jurisdiction in compliance with an  
37 order of that court or the attorney of record in accordance with

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38 a lawfully issued subpoena, consistent with the Family  
39 Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

40 b. A person or entity authorized by a court of competent  
41 jurisdiction in compliance with an order of that court or the  
42 attorney of record pursuant to a lawfully issued subpoena,  
43 consistent with the Family Educational Rights and Privacy Act,  
44 20 U.S.C. s. 1232g.

45 c. Any person, entity, or authority issuing a subpoena for  
46 law enforcement purposes when the court or other issuing agency  
47 has ordered that the existence or the contents of the subpoena  
48 or the information furnished in response to the subpoena not be  
49 disclosed, consistent with the Family Educational Rights and  
50 Privacy Act, 20 U.S.C. s. 1232g, and 34 C.F.R. s. 99.31.

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