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1  
 2 An act relating to education; amending ss. 11.45,  
 3 212.099, and 327.371, F.S.; conforming cross-  
 4 references; amending s. 1002.01, F.S.; defining the  
 5 term "personalized education program"; amending s.  
 6 1002.394, F.S.; providing and revising definitions;  
 7 revising student eligibility and ineligibility  
 8 requirements for the Family Empowerment Scholarship  
 9 Program; revising the approved uses of scholarship  
 10 funds; providing that certain scholarships remain in  
 11 force until certain criteria are met; requiring the  
 12 closure of a scholarship account and the reversion of  
 13 funds to the state under certain circumstances;  
 14 authorizing reimbursements for certain expenditures  
 15 until certain criteria are met; revising obligations  
 16 of school districts, the Department of Education,  
 17 private schools, and eligible nonprofit scholarship-  
 18 funding organizations; revising responsibilities of  
 19 parents; requiring scholarship funds to be deposited  
 20 by funds transfers rather than through warrant  
 21 endorsement; requiring certain criteria to be met  
 22 before the funding of certain scholarships; revising  
 23 provisions for the calculation of an award amount for  
 24 certain students; prohibiting the transfer of funds to  
 25 an eligible student's account under certain

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26 conditions; deleting obsolete language; conforming  
 27 provisions and cross-references to changes made by the  
 28 act; amending s. 1002.395, F.S.; providing and  
 29 revising definitions; revising student eligibility and  
 30 ineligibility requirements for the Florida Tax Credit  
 31 Scholarship Program; revising obligations of eligible  
 32 nonprofit scholarship-funding organizations and the  
 33 department; establishing certain limitations on the  
 34 number of scholarships funded through the program;  
 35 revising the approved uses of scholarship funds;  
 36 revising requirements for the use of certain  
 37 contributions for administrative expenses; revising  
 38 the amount of funds that must be awarded through  
 39 scholarships; requiring the development of specified  
 40 guidelines; authorizing organizations to require the  
 41 use of an online platform for specified purchases so  
 42 long as such use does not limit specified choices;  
 43 requiring an organization to provide reimbursement in  
 44 specified circumstances; requiring organizations to  
 45 submit specified quarterly reports; revising  
 46 responsibilities of parents; requiring scholarship  
 47 funds to be deposited by funds transfers rather than  
 48 through warrant endorsement; requiring the department  
 49 to annually publish a list of specified tests;  
 50 revising the requirements of a specified annual

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51 | report; requiring the department to notify school  
52 | districts of specified estimates; prohibiting the  
53 | transfer of funds to an eligible student's account  
54 | under certain conditions; providing that certain  
55 | scholarships remain in force until certain criteria  
56 | are met; authorizing reimbursements for certain  
57 | expenditures until certain criteria are met; requiring  
58 | the closure of a scholarship account and the reversion  
59 | of funds to the state under certain circumstances;  
60 | requiring the Office of Independent Education and  
61 | Parental Choice to provide a specified number of  
62 | application periods for specified purposes; deleting  
63 | obsolete language; conforming provisions and cross-  
64 | references to changes made by the act; amending s.  
65 | 1002.40, F.S.; conforming cross-references; amending  
66 | s. 1002.421, F.S.; revising the eligibility criteria  
67 | and obligations of private schools participating in  
68 | certain educational scholarship programs; revising the  
69 | criteria for the Commissioner of Education to  
70 | permanently deny or revoke the authority of certain  
71 | individuals to establish or operate a private school  
72 | in the state; authorizing the commissioner to include  
73 | specified individuals on a specified disqualification  
74 | list; authorizing such individuals to be removed from  
75 | such list if they provide specified reimbursements;

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76 conforming cross-references; creating s. 1002.44,  
 77 F.S.; authorizing public schools, including charter  
 78 schools, to enroll certain students on a part-time  
 79 basis; providing funding for such students;  
 80 prohibiting certain students from being reported for  
 81 funding; providing that such students are not  
 82 considered to be in regular attendance at such  
 83 schools; amending s. 1003.01, F.S.; conforming  
 84 provisions and cross-references to changes made by the  
 85 act; requiring the State Board of Education to develop  
 86 and recommend to the Governor and the Legislature for  
 87 adoption during the 2024 legislative session repeals  
 88 and revisions to the Florida Early Learning-20  
 89 Education Code by a specified date,; providing  
 90 requirements for the state board relating to such  
 91 recommendations; amending s. 1001.10, F.S.; requiring  
 92 the Commissioner of Education to develop an online  
 93 portal for specified purpose; providing requirements  
 94 for such portal; amending s. 1002.20, F.S.; conforming  
 95 a cross-reference; amending s. 1003.25, F.S.; revising  
 96 the timeframe in which student records must be  
 97 transferred; amending s. 1003.4282, F.S.; deleting the  
 98 online course requirement for a standard high school  
 99 diploma; amending s. 1006.21, F.S.; authorizing a  
 100 district school board to use other vehicles to

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101 transport students; amending s. 1006.22, F.S.;

102 deleting a requirement that district school boards use

103 school buses for all regular transportation; deleting

104 provisions relating to circumstances in which students

105 may be transported in privately owned motor vehicles;

106 conforming a provision to changes made by the act;

107 amending ss. 1006.25 and 1006.27, F.S.; conforming a

108 cross-reference and provisions to changes made by the

109 act; amending s. 1011.71, F.S.; authorizing a

110 specified district school board levy to be used to pay

111 salaries and benefits for specified employees;

112 amending s. 1012.56, F.S.; exempting specified

113 individuals from certain mastery of general knowledge

114 requirements; revising the acceptable means of

115 demonstrating mastery of subject area knowledge and

116 mastery of professional preparation and education

117 competence, respectively; revising requirements for

118 the department to issue temporary certificates;

119 revising the validity period for certain temporary

120 certificates; amending s. 1013.64, F.S.; providing

121 that certain construction projects are exempt from the

122 total cost per student station requirements; amending

123 ss. 1002.321, 1003.5716, 1003.499, 1003.27, 1003.485,

124 and 1009.30, F.S.; conforming cross-references and

125 provisions to changes made by the act; providing

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126 effective dates.

127

128 Be It Enacted by the Legislature of the State of Florida:

129

130 Section 1. Paragraph (1) of subsection (2) of section

131 11.45, Florida Statutes, is amended to read:

132 11.45 Definitions; duties; authorities; reports; rules.—

133 (2) DUTIES.—The Auditor General shall:

134 (1) At least once every 3 years, conduct operational  
 135 audits of the accounts and records of eligible nonprofit  
 136 scholarship-funding organizations receiving eligible  
 137 contributions under s. 1002.395, including any contracts for  
 138 services with related entities, to determine compliance with the  
 139 provisions of that section. Such audits shall include, but not  
 140 be limited to, a determination of the eligible nonprofit  
 141 scholarship-funding organization's compliance with s.  
 142 1002.395(6)(1) ~~s. 1002.395(6)(j)~~. The Auditor General shall  
 143 provide its report on the results of the audits to the Governor,  
 144 the President of the Senate, the Speaker of the House of  
 145 Representatives, the Chief Financial Officer, and the  
 146 Legislative Auditing Committee, within 30 days of completion of  
 147 the audit.

148

149 The Auditor General shall perform his or her duties  
 150 independently but under the general policies established by the

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151 Legislative Auditing Committee. This subsection does not limit  
 152 the Auditor General's discretionary authority to conduct other  
 153 audits or engagements of governmental entities as authorized in  
 154 subsection (3).

155 Section 2. Paragraph (c) of subsection (1) and paragraph  
 156 (c) of subsection (7) of section 212.099, Florida Statutes, are  
 157 amended to read:

158 212.099 Credit for contributions to eligible nonprofit  
 159 scholarship-funding organizations.—

160 (1) As used in this section, the term:

161 (c) "Eligible nonprofit scholarship-funding organization"  
 162 or "organization" has the same meaning as provided in s.  
 163 1002.395(2) ~~s. 1002.395(2)(f)~~.

164 (7)

165 (c) The organization may, subject to the limitations of s.  
 166 1002.395(6)(l)1. ~~s. 1002.395(6)(j)1.~~, use eligible contributions  
 167 received during the state fiscal year in which such  
 168 contributions are collected for administrative expenses.

169 Section 3. Paragraph (c) of subsection (1) of section  
 170 327.371, Florida Statutes, is amended to read:

171 327.371 Human-powered vessels regulated.—

172 (1) A person may operate a human-powered vessel within the  
 173 boundaries of the marked channel of the Florida Intracoastal  
 174 Waterway as defined in s. 327.02:

175 (c) When participating in practices or competitions for

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176 interscholastic, intercollegiate, intramural, or club rowing  
 177 teams affiliated with an educational institution identified in  
 178 s. 1000.21, s. 1002.01(3) ~~s. 1002.01(2)~~, s. 1003.01(2), s.  
 179 1005.02(4), or s. 1005.03(1)(d), if the adjacent area outside of  
 180 the marked channel is not suitable for such practice or  
 181 competition. The teams must use their best efforts to make use  
 182 of the adjacent area outside of the marked channel. The  
 183 commission must be notified in writing of the details of any  
 184 such competition, and the notification must include, but need  
 185 not be limited to, the date, time, and location of the  
 186 competition.

187 Section 4. Section 1002.01, Florida Statutes, is amended  
 188 to read:

189 1002.01 Definitions.—

190 (1) A "home education program" means the sequentially  
 191 progressive instruction of a student directed by his or her  
 192 parent ~~in order~~ to satisfy the attendance requirements of ss.  
 193 1002.41, 1003.01(13), and 1003.21(1).

194 (2) A "personalized education program" means the  
 195 sequentially progressive instruction of a student directed by  
 196 his or her parent to satisfy the attendance requirements of ss.  
 197 1003.01(13) and 1003.21(1) while registered with an eligible  
 198 nonprofit scholarship-funding organization pursuant to s.  
 199 1002.395. A personalized education student shall be provided the  
 200 same flexibility and opportunities as provided in s. 1002.41(3) -



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201 (12).

202 ~~(3)~~~~(2)~~ A "private school" is a nonpublic school defined as  
 203 an individual, association, copartnership, or corporation, or  
 204 department, division, or section of such organizations, that  
 205 designates itself as an educational center that includes  
 206 kindergarten or a higher grade or as an elementary, secondary,  
 207 business, technical, or trade school below college level or any  
 208 organization that provides instructional services that meet the  
 209 intent of s. 1003.01(13) or that gives preemployment or  
 210 supplementary training in technology or in fields of trade or  
 211 industry or that offers academic, literary, or career training  
 212 below college level, or any combination of the above, including  
 213 an institution that performs the functions of the above schools  
 214 through correspondence or extension, except those licensed under  
 215 the provisions of chapter 1005. A private school may be a  
 216 parochial, religious, denominational, for-profit, or nonprofit  
 217 school. This definition does not include home education programs  
 218 conducted in accordance with s. 1002.41.

219 Section 5. Paragraphs (b) through (m) of subsection (2) of  
 220 section 1002.394, Florida Statutes, are redesignated as  
 221 paragraphs (c) through (n), respectively, present paragraphs  
 222 (e), (f), and (g) of subsection (2), paragraph (a) of subsection  
 223 (3), subsection (4), paragraph (a) of subsection (5), paragraph  
 224 (f) of subsection (6), paragraphs (b), (d), (f), and (g) of  
 225 subsection (7), paragraph (a) of subsection (8), paragraphs (a)

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226 and (b) of subsection (10), paragraph (a) of subsection (11),  
 227 and subsection (12) are amended, and a new paragraph (b) is  
 228 added to subsection (2), paragraph (c) is added to subsection  
 229 (8), and paragraph (d) is added to subsection (9) of that  
 230 section, to read:

231 1002.394 The Family Empowerment Scholarship Program.—

232 (2) DEFINITIONS.—As used in this section, the term:

233 (b) "Choice navigator" has the same meaning as in s.  
 234 1002.395(2).

235 (f)-(e) "Eligible nonprofit scholarship-funding  
 236 organization" or "organization" has the same meaning as provided  
 237 in s. 1002.395(2) s. 1002.395(2)(f).

238 (g)-(f) "Eligible postsecondary educational institution"  
 239 means a Florida College System institution; a state university;  
 240 a school district technical center; a school district adult  
 241 general education center; an independent college or university  
 242 that is eligible to participate in the William L. Boyd, IV,  
 243 Effective Access to Student Education Grant Program under s.  
 244 1009.89; or an accredited independent postsecondary educational  
 245 institution, as defined in s. 1005.02, which is licensed to  
 246 operate in this state under part III of chapter 1005 or is  
 247 approved to participate in a reciprocity agreement as defined in  
 248 s. 1000.35(2).

249 (h)-(g) "Eligible private school" has the same meaning as  
 250 provided in s. 1002.395(2) s. 1002.395(2)(g).

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251 (3) SCHOLARSHIP ELIGIBILITY.—

252 (a) 1. A parent of a student may request and receive from  
 253 the state a scholarship for the purposes specified in paragraph  
 254 (4) (a) if the student is a resident of this state and is  
 255 eligible to enroll in kindergarten through grade 12 in a public  
 256 school in this state.‡

257 ~~1. The student is on the direct certification list~~  
 258 ~~pursuant to s. 1002.395(2)(c) or the student's household income~~  
 259 ~~level does not exceed 185 percent of the federal poverty level;~~

260 ~~2. The student is currently placed, or during the previous~~  
 261 ~~state fiscal year was placed, in foster care or in out-of-home~~  
 262 ~~care as defined in s. 39.01;~~

263 ~~3. The student's household income level does not exceed~~  
 264 ~~375 percent of the federal poverty level or an adjusted maximum~~  
 265 ~~percent of the federal poverty level that is increased by 25~~  
 266 ~~percentage points in the fiscal year following any fiscal year~~  
 267 ~~in which more than 5 percent of the available scholarships~~  
 268 ~~authorized under paragraph (12) (a) have not been funded;~~

269 ~~4. The student is a sibling of a student who is~~  
 270 ~~participating in the scholarship program under this subsection~~  
 271 ~~and such siblings reside in the same household;~~

272 ~~5. The student is a dependent child of a member of the~~  
 273 ~~United States Armed Forces; or~~

274 ~~6. The student is a dependent child of a law enforcement~~  
 275 ~~officer.~~

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276        2. Priority must be given in the following order: ~~to~~  
 277        a. A student whose household income level does not exceed  
 278 185 percent of the federal poverty level or who is in foster  
 279 care or out-of-home care.  
 280        b. A student whose household income level exceeds 185  
 281 percent of the federal poverty level, but does not exceed 400  
 282 percent of the federal poverty level.  
 283        (4) AUTHORIZED USES OF PROGRAM FUNDS.—  
 284        (a) Program funds awarded to a student determined eligible  
 285 pursuant to paragraph (3) (a) may be used for:  
 286        1. Tuition and fees at an eligible private school. ~~;~~  
 287        2. Transportation to a Florida public school in which a  
 288 student is enrolled and that is different from the school to  
 289 which the student was assigned or to a lab school as defined in  
 290 s. 1002.32.  
 291        3. Instructional materials, including digital materials  
 292 and Internet resources.  
 293        4. Curriculum as defined in subsection (2).  
 294        5. Tuition and fees associated with full-time or part-time  
 295 enrollment in an eligible postsecondary educational institution  
 296 or a program offered by the postsecondary educational  
 297 institution, unless the program is subject to s. 1009.25 or  
 298 reimbursed pursuant to s. 1009.30; an approved preapprenticeship  
 299 program as defined in s. 446.021(5) which is not subject to s.  
 300 1009.25 and complies with all applicable requirements of the

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301 department pursuant to chapter 1005; a private tutoring program  
302 authorized under s. 1002.43; a virtual program offered by a  
303 department-approved private online provider that meets the  
304 provider qualifications specified in s. 1002.45(2)(a); the  
305 Florida Virtual School as a private paying student; or an  
306 approved online course offered pursuant to s. 1003.499 or s.  
307 1004.0961.

308 6. Fees for nationally standardized, norm-referenced  
309 achievement tests, Advanced Placement Examinations, industry  
310 certification examinations, assessments related to postsecondary  
311 education, or other assessments.

312 7. Contracted services provided by a public school or  
313 school district, including classes. A student who receives  
314 contracted services under this subparagraph is not considered  
315 enrolled in a public school for eligibility purposes as  
316 specified in subsection (6) but rather attending a public school  
317 on a part-time basis as authorized under s. 1002.44.

318 8. Tuition and fees for part-time tutoring services or  
319 fees for services provided by a choice navigator. Such services  
320 must be provided by a person who holds a valid Florida  
321 educator's certificate pursuant to s. 1012.56, a person who  
322 holds an adjunct teaching certificate pursuant to s. 1012.57, a  
323 person who has a bachelor's degree or a graduate degree in the  
324 subject area in which instruction is given, a person who has  
325 demonstrated a mastery of subject area knowledge pursuant to s.

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326 1012.56(5), or a person certified by a nationally or  
 327 internationally recognized research-based training program as  
 328 approved by the department. As used in this subparagraph, the  
 329 term "part-time tutoring services" does not qualify as regular  
 330 school attendance as defined in s. 1003.01(13)(e) ~~if the student~~  
 331 ~~is determined eligible pursuant to subparagraph (3)(a)1. or~~  
 332 ~~subparagraph (3)(a)2.~~

333 (b) Program funds awarded to a student with a disability  
 334 determined eligible pursuant to paragraph (3)(b) may be used for  
 335 the following purposes:

336 1. Instructional materials, including digital devices,  
 337 digital periphery devices, and assistive technology devices that  
 338 allow a student to access instruction or instructional content  
 339 and training on the use of and maintenance agreements for these  
 340 devices.

341 2. Curriculum as defined in subsection (2).

342 3. Specialized services by approved providers or by a  
 343 hospital in this state which are selected by the parent. These  
 344 specialized services may include, but are not limited to:

345 a. Applied behavior analysis services as provided in ss.  
 346 627.6686 and 641.31098.

347 b. Services provided by speech-language pathologists as  
 348 defined in s. 468.1125(8).

349 c. Occupational therapy as defined in s. 468.203.

350 d. Services provided by physical therapists as defined in

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351 s. 486.021(8).

352 e. Services provided by listening and spoken language  
 353 specialists and an appropriate acoustical environment for a  
 354 child who has a hearing impairment, including deafness, and who  
 355 has received an implant or assistive hearing device.

356 4. Tuition and ~~or~~ fees associated with full-time or part-  
 357 time enrollment in a home education program;; an eligible  
 358 private school;; an eligible postsecondary educational  
 359 institution or a program offered by the postsecondary  
 360 educational institution, unless the program is subject to s.  
 361 1009.25 or reimbursed pursuant to s. 1009.30; an approved  
 362 preapprenticeship program as defined in s. 446.021(5) which is  
 363 not subject to s. 1009.25 and complies with all applicable  
 364 requirements of the department pursuant to chapter 1005; a  
 365 private tutoring program authorized under s. 1002.43;; a virtual  
 366 program offered by a department-approved private online provider  
 367 that meets the provider qualifications specified in s.  
 368 1002.45(2)(a);; the Florida Virtual School as a private paying  
 369 student;; or an approved online course offered pursuant to s.  
 370 1003.499 or s. 1004.0961.

371 5. Fees for nationally standardized, norm-referenced  
 372 achievement tests, Advanced Placement Examinations, industry  
 373 certification examinations, assessments related to postsecondary  
 374 education, or other assessments.

375 6. Contributions to the Stanley G. Tate Florida Prepaid

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376 College Program pursuant to s. 1009.98 or the Florida College  
377 Savings Program pursuant to s. 1009.981 for the benefit of the  
378 eligible student.

379 7. Contracted services provided by a public school or  
380 school district, including classes. A student who receives  
381 services under a contract under this paragraph is not considered  
382 enrolled in a public school for eligibility purposes as  
383 specified in subsection (6) but rather attending a public school  
384 on a part-time basis as authorized under s. 1002.44.

385 8. Tuition and fees for part-time tutoring services or  
386 fees for services provided by a choice navigator. Such services  
387 must be provided by a person who holds a valid Florida  
388 educator's certificate pursuant to s. 1012.56, a person who  
389 holds an adjunct teaching certificate pursuant to s. 1012.57, a  
390 person who has a bachelor's degree or a graduate degree in the  
391 subject area in which instruction is given, a person who has  
392 demonstrated a mastery of subject area knowledge pursuant to s.  
393 1012.56(5), or a person certified by a nationally or  
394 internationally recognized research-based training program as  
395 approved by the department. As used in this subparagraph  
396 ~~paragraph~~, the term "part-time tutoring services" does not  
397 qualify as regular school attendance as defined in s.  
398 1003.01(13)(e).

399 9. Fees for specialized summer education programs.

400 10. Fees for specialized after-school education programs.



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401 11. Transition services provided by job coaches.

402 12. Fees for an annual evaluation of educational progress  
 403 by a state-certified teacher under s. 1002.41(1)(f), if this  
 404 option is chosen for a home education student.

405 13. Tuition and fees associated with programs offered by  
 406 Voluntary Prekindergarten Education Program providers approved  
 407 pursuant to s. 1002.55 and school readiness providers approved  
 408 pursuant to s. 1002.88.

409 14. Fees for services provided at a center that is a  
 410 member of the Professional Association of Therapeutic  
 411 Horsemanship International.

412 15. Fees for services provided by a therapist who is  
 413 certified by the Certification Board for Music Therapists or  
 414 credentialed by the Art Therapy Credentials Board, Inc.

415 (5) TERM OF SCHOLARSHIP.—For purposes of continuity of  
 416 educational choice:

417 (a)1. A scholarship awarded to an eligible student  
 418 pursuant to paragraph (3)(a) shall remain in force until:

419 a. The organization determines that the student is not  
 420 eligible for program renewal;

421 b. The Commissioner of Education suspends or revokes  
 422 program participation or use of funds;

423 c. The student's parent has forfeited participation in the  
 424 program for failure to comply with subsection (10);

425 d. The student enrolls in a public school. However, if a

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426 student enters a Department of Juvenile Justice detention center  
 427 for a period of no more than 21 days, the student is not  
 428 considered to have returned to a public school on a full-time  
 429 basis for that purpose; or

430 e. The student graduates from high school or attains 21  
 431 years of age, whichever occurs first.

432 2.a. The student's scholarship account must be closed and  
 433 any remaining funds shall revert to the state after:

434 (I) Denial or revocation of program eligibility by the  
 435 commissioner for fraud or abuse, including, but not limited to,  
 436 the student or student's parent accepting any payment, refund,  
 437 or rebate, in any manner, from a provider of any services  
 438 received pursuant to paragraph (4) (a); or

439 (II) Two consecutive fiscal years in which an account has  
 440 been inactive.

441 b. Reimbursements for program expenditures may continue  
 442 until the account balance is expended or remaining funds have  
 443 reverted to the state ~~student returns to a public school,~~  
 444 ~~graduates from high school, or reaches the age of 21, whichever~~  
 445 ~~occurs first. A scholarship student who enrolls in a public~~  
 446 ~~school or public school program is considered to have returned~~  
 447 ~~to a public school for the purpose of determining the end of the~~  
 448 ~~scholarship's term. However, if a student enters a Department of~~  
 449 ~~Juvenile Justice detention center for a period of no more than~~  
 450 ~~21 days, the student is not considered to have returned to a~~

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451 ~~public school for that purpose.~~

452 (6) SCHOLARSHIP PROHIBITIONS.—A student is not eligible  
453 for a Family Empowerment Scholarship while he or she is:

454 (f) Participating in virtual instruction pursuant to s.  
455 1002.455 that receives state funding pursuant to the student's  
456 participation.

457 (7) SCHOOL DISTRICT OBLIGATIONS.—

458 (b)1. The parent of a student with a disability who does  
459 not have an IEP in accordance with subparagraph (3)(b)4. or who  
460 seeks a reevaluation of an existing IEP may request an IEP  
461 meeting and evaluation from the school district in order to  
462 obtain or revise a matrix of services. The school district shall  
463 notify a parent who has made a request for an IEP that the  
464 district is required to complete the IEP and matrix of services  
465 within 30 days after receiving notice of the parent's request.  
466 The school district shall conduct a meeting and develop an IEP  
467 and a matrix of services within 30 days after receipt of the  
468 parent's request in accordance with State Board of Education  
469 rules. The district must accept the diagnosis and consider the  
470 service plan of the licensed professional providing the  
471 diagnosis pursuant to subparagraph (3)(b)4. The school district  
472 must complete a matrix that assigns the student to one of the  
473 levels of service as they existed before the 2000-2001 school  
474 year. For a nonpublic school student without an IEP, the school  
475 district is authorized to use evaluation reports and plans of

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476 care developed by the licensed professionals under subparagraph  
477 (4)(b)3. to complete the matrix of services.

478 2.a. The school district must provide the student's parent  
479 and the department with the student's matrix level within 10  
480 calendar days after its completion.

481 b. The department shall notify the parent and the  
482 organization of the amount of the funds awarded within 10 days  
483 after receiving the school district's notification of the  
484 student's matrix level.

485 c. A school district may change a matrix of services only  
486 if the change is a result of an IEP reevaluation or to correct a  
487 technical, typographical, or calculation error.

488 ~~(d) The school district in which a participating student~~  
489 ~~resides must notify the student and his or her parent about the~~  
490 ~~locations and times to take all statewide assessments under s.~~  
491 ~~1008.22 if the student chooses to participate in such~~  
492 ~~assessments.~~ Upon the request of the department, a school  
493 district shall coordinate with the department to provide to a  
494 participating private school the statewide assessments  
495 administered under s. 1008.22 and any related materials for  
496 administering the assessments. For a student who participates in  
497 the Family Empowerment Scholarship Program whose parent requests  
498 that the student take the statewide assessments under s.  
499 1008.22, the district in which the student attends a private  
500 school shall provide locations and times to take all statewide

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501 assessments. A school district is responsible for implementing  
 502 test administrations at a participating private school,  
 503 including the:

- 504 1. Provision of training for private school staff on test  
 505 security and assessment administration procedures;
- 506 2. Distribution of testing materials to a private school;
- 507 3. Retrieval of testing materials from a private school;
- 508 4. Provision of the required format for a private school  
 509 to submit information to the district for test administration  
 510 and enrollment purposes; and
- 511 5. Provision of any required assistance, monitoring, or  
 512 investigation at a private school.

513 ~~(f) A school district shall report all students who are~~  
 514 ~~receiving a scholarship under this program. Students receiving a~~  
 515 ~~scholarship shall be reported separately from other students~~  
 516 ~~reported for purposes of the Florida Education Finance Program.~~

517 ~~(g) A school district shall be held harmless for students~~  
 518 ~~who are receiving a scholarship under this program from the~~  
 519 ~~weighted enrollment ceiling for group 2 programs in s.~~  
 520 ~~1011.62(1)(d)3.b. during the first school year in which the~~  
 521 ~~students are reported.~~

522 (8) DEPARTMENT OF EDUCATION OBLIGATIONS.—

523 (a) The department shall:

- 524 1. Publish and update, as necessary, information on the  
 525 department website about the Family Empowerment Scholarship

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526 Program, including, but not limited to, student eligibility  
 527 criteria, parental responsibilities, and relevant data.

528 2. Report, as part of the determination of full-time  
 529 equivalent membership pursuant to s. 1011.62(1)(a), all students  
 530 who are receiving a scholarship under the program and are funded  
 531 through the Florida Education Finance Program, and cross-check  
 532 the list of participating scholarship students with the public  
 533 school enrollment lists to avoid duplication.

534 3. Maintain and annually publish a list of nationally  
 535 norm-referenced tests identified for purposes of satisfying the  
 536 testing requirement in subparagraph (9)(c)1. The tests must meet  
 537 industry standards of quality in accordance with state board  
 538 rule.

539 4. Notify eligible nonprofit scholarship-funding  
 540 organizations of the deadlines for submitting the verified list  
 541 of students determined to be eligible for a scholarship. An  
 542 eligible nonprofit scholarship-funding organization may not  
 543 submit a student for funding after February 1.

544 ~~5. Notify each school district of a parent's participation~~  
 545 ~~in the scholarship program for purposes of paragraph (7)(f).~~

546 ~~5.6.~~ Deny or terminate program participation upon a  
 547 parent's failure to comply with subsection (10).

548 ~~6.7.~~ Notify the parent and the organization when a  
 549 scholarship account is closed and program funds revert to the  
 550 state.

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551        ~~7.8.~~ Notify an eligible nonprofit scholarship-funding  
552 organization of any of the organization's or other  
553 organization's identified students who are receiving  
554 scholarships under this chapter.

555        ~~8.9.~~ Maintain on its website a list of approved providers  
556 as required by s. 1002.66, eligible postsecondary educational  
557 institutions, eligible private schools, and eligible  
558 organizations and may identify or provide links to lists of  
559 other approved providers.

560        ~~9.10.~~ Require each organization to verify eligible  
561 expenditures before the distribution of funds for any  
562 expenditures made pursuant to subparagraphs (4) (b)1. and 2.  
563 Review of expenditures made for services specified in  
564 subparagraphs (4) (b)3.-15. may be completed after the purchase  
565 is made.

566        ~~10.11.~~ Investigate any written complaint of a violation of  
567 this section by a parent, a student, a private school, a public  
568 school, a school district, an organization, a provider, or  
569 another appropriate party in accordance with the process  
570 established under s. 1002.421.

571        ~~11.12.~~ Require quarterly reports by an organization, which  
572 must include, at a minimum, the number of students participating  
573 in the program; the demographics of program participants; the  
574 disability category of program participants; the matrix level of  
575 services, if known; the program award amount per student; the

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576 total expenditures for the purposes specified in paragraph  
 577 (4) (b); the types of providers of services to students; and any  
 578 other information deemed necessary by the department.

579 ~~12.13.~~ Notify eligible nonprofit scholarship-funding  
 580 organizations that scholarships may not be awarded in a school  
 581 district in which the award will exceed 99 percent of the school  
 582 district's share of state funding through the Florida Education  
 583 Finance Program as calculated by the department.

584 ~~13.14.~~ Adjust payments to eligible nonprofit scholarship-  
 585 funding organizations and, when the Florida Education Finance  
 586 Program is recalculated, adjust the amount of state funds  
 587 allocated to school districts through the Florida Education  
 588 Finance Program based upon the results of the cross-check  
 589 completed pursuant to subparagraph 2.

590 (c) The department shall notify each school district of  
 591 the full-time equivalent student consensus estimate of students  
 592 participating in the program developed pursuant to s.  
 593 216.136(4) (a).

594 (9) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—To be  
 595 eligible to participate in the Family Empowerment Scholarship  
 596 Program, a private school may be sectarian or nonsectarian and  
 597 must:

598 (d) For a student determined eligible pursuant to  
 599 paragraph (3) (b), discuss the school's academic programs and  
 600 policies, specialized services, code of conduct, and attendance



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601 policies before enrollment with the parent to determine which  
 602 programs and services may meet the student's individual needs.

603  
 604 If a private school fails to meet the requirements of this  
 605 subsection or s. 1002.421, the commissioner may determine that  
 606 the private school is ineligible to participate in the  
 607 scholarship program.

608 (10) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM  
 609 PARTICIPATION.—

610 (a) A parent who applies for program participation under  
 611 paragraph (3)(a) whose student will be enrolled full time ~~is~~  
 612 ~~exercising his or her parental option to place his or her child~~  
 613 ~~in a private school and~~ must:

614 1. Select the private school and apply for the admission  
 615 of his or her student.

616 2. Request the scholarship by a date established by the  
 617 organization, in a manner that creates a written or electronic  
 618 record of the request and the date of receipt of the request.

619 3. Inform the applicable school district when the parent  
 620 withdraws his or her student from a public school to attend an  
 621 eligible private school.

622 4. Require his or her student participating in the program  
 623 to remain in attendance throughout the school year unless  
 624 excused by the school for illness or other good cause.

625 5. Meet with the private school's principal or the

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626 principal's designee to review the school's academic programs  
 627 and policies, specialized services ~~customized educational~~  
 628 ~~programs~~, code of student conduct, and attendance policies  
 629 before ~~prior to~~ enrollment.

630 6. Require that the student participating in the  
 631 scholarship program takes the norm-referenced assessment offered  
 632 by the private school. The parent may also choose to have the  
 633 student participate in the statewide assessments pursuant to  
 634 paragraph (7)(d). If the parent requests that the student  
 635 participating in the program take all statewide assessments  
 636 required pursuant to s. 1008.22, the parent is responsible for  
 637 transporting the student to the assessment site designated by  
 638 the school district.

639 7. Approve each payment before the scholarship funds may  
 640 be deposited by funds transfer ~~Restrictively endorse the~~  
 641 ~~warrant, issued in the name of the parent pursuant to~~  
 642 ~~subparagraph (12)(a)4. (12)(a)6., to the private school for~~  
 643 ~~deposit into the private school's account.~~ The parent may not  
 644 designate any entity or individual associated with the  
 645 participating private school as the parent's attorney in fact to  
 646 approve a funds transfer. A participant who fails to comply with  
 647 this paragraph forfeits the ~~endorse a scholarship warrant.~~

648 8. Agree to have the organization commit scholarship funds  
 649 on behalf of his or her student for tuition and fees for which  
 650 the parent is responsible for payment at the private school

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651 before using empowerment account funds for additional authorized  
652 uses under paragraph (4)(a). A parent is responsible for all  
653 eligible expenses in excess of the amount of the scholarship.

654 (b) A parent who applies for program participation under  
655 paragraph (3)(b) is exercising his or her parental option to  
656 determine the appropriate placement or the services that best  
657 meet the needs of his or her child and must:

658 1. Apply to an eligible nonprofit scholarship-funding  
659 organization to participate in the program by a date set by the  
660 organization. The request must be communicated directly to the  
661 organization in a manner that creates a written or electronic  
662 record of the request and the date of receipt of the request.

663 2. Sign an agreement with the organization and annually  
664 submit a sworn compliance statement to the organization to  
665 satisfy or maintain program eligibility, including eligibility  
666 to receive and spend program payments by:

667 a. Affirming that the student is enrolled in a program  
668 that meets regular school attendance requirements as provided in  
669 s. 1003.01(13)(b), (c), or (d).

670 b. Affirming that the program funds are used only for  
671 authorized purposes serving the student's educational needs, as  
672 described in paragraph (4)(b); that any prepaid college plan or  
673 college savings plan funds contributed pursuant to subparagraph  
674 (4)(b)6. will not be transferred to another beneficiary while  
675 the plan contains funds contributed pursuant to this section;

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676 and that they will not receive a payment, refund, or rebate of  
 677 any funds provided under this section.

678 c. Affirming that the parent is responsible for all  
 679 eligible expenses in excess of the amount of the scholarship and  
 680 for the education of his or her student by, as applicable:

681 (I) Requiring the student to take an assessment in  
 682 accordance with paragraph (9)(c);

683 (II) Providing an annual evaluation in accordance with s.  
 684 1002.41(1)(f); or

685 (III) Requiring the child to take any preassessments and  
 686 postassessments selected by the provider if the child is 4 years  
 687 of age and is enrolled in a program provided by an eligible  
 688 Voluntary Prekindergarten Education Program provider. A student  
 689 with disabilities for whom the physician or psychologist who  
 690 issued the diagnosis or the IEP team determines that a  
 691 preassessment and postassessment is not appropriate is exempt  
 692 from this requirement. A participating provider shall report a  
 693 student's scores to the parent.

694 d. Affirming that the student remains in good standing  
 695 with the provider or school if those options are selected by the  
 696 parent.

697 e. Enrolling his or her child in a program from a  
 698 Voluntary Prekindergarten Education Program provider authorized  
 699 under s. 1002.55, a school readiness provider authorized under  
 700 s. 1002.88, or an eligible private school if either option is

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701 selected by the parent.

702 f. Renewing participation in the program each year. A  
 703 student whose participation in the program is not renewed may  
 704 continue to spend scholarship funds that are in his or her  
 705 account from prior years unless the account must be closed  
 706 pursuant to subparagraph (5) (b)3. Notwithstanding any changes to  
 707 the student's IEP, a student who was previously eligible for  
 708 participation in the program shall remain eligible to apply for  
 709 renewal. However, for a high-risk child to continue to  
 710 participate in the program in the school year after he or she  
 711 reaches 6 years of age, the child's application for renewal of  
 712 program participation must contain documentation that the child  
 713 has a disability defined in paragraph (2) (e) ~~paragraph (2) (d)~~  
 714 other than high-risk status.

715 g. Procuring the services necessary to educate the  
 716 student. If such services include enrollment in an eligible  
 717 private school, the parent must meet with the private school's  
 718 principal or the principal's designee to review the school's  
 719 academic programs and policies, specialized services, code of  
 720 student conduct, and attendance policies before his or her  
 721 student is enrolled ~~If a parent does not procure the necessary~~  
 722 ~~educational services for the student and the student's account~~  
 723 ~~has been inactive for 2 consecutive fiscal years, the student is~~  
 724 ~~ineligible for additional scholarship payments until the~~  
 725 ~~scholarship-funding organization verifies that expenditures from~~

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726 ~~the account have occurred.~~ When the student receives a  
 727 scholarship, the district school board is not obligated to  
 728 provide the student with a free appropriate public education.  
 729 For purposes of s. 1003.57 and the Individuals with Disabilities  
 730 in Education Act, a participating student has only those rights  
 731 that apply to all other unilaterally parentally placed students,  
 732 except that, when requested by the parent, school district  
 733 personnel must develop an IEP or matrix level of services.

734 (11) OBLIGATIONS OF ELIGIBLE SCHOLARSHIP-FUNDING  
 735 ORGANIZATIONS.—

736 (a) An eligible nonprofit scholarship-funding organization  
 737 awarding scholarships to eligible students pursuant to paragraph  
 738 (3) (a):

739 1. Must receive applications, determine student  
 740 eligibility, notify parents in accordance with the requirements  
 741 of this section, and provide the department with information on  
 742 the student to enable the department to determine student  
 743 funding in accordance with paragraph (12) (a).

744 2. Shall verify the household income level of students  
 745 ~~pursuant to subparagraph (3) (a)1.~~ and submit the verified list  
 746 of students and related documentation to the department when  
 747 necessary.

748 3. Shall award scholarships in priority order pursuant to  
 749 paragraph (3) (a).

750 4. Shall establish and maintain separate empowerment

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751 accounts for each eligible student. For each account, the  
752 organization must maintain a record of accrued interest that is  
753 retained in the student's account and available only for  
754 authorized program expenditures.

755 5. May permit eligible students to use program funds for  
756 the purposes specified in paragraph (4)(a) by paying for the  
757 authorized use directly, then submitting a reimbursement request  
758 to the eligible nonprofit scholarship-funding organization.  
759 However, an eligible nonprofit scholarship-funding organization  
760 may require the use of an online platform for direct purchases  
761 of products so long as such use does not limit a parent's choice  
762 of curriculum or academic programs. If a parent purchases a  
763 product identical to one offered by an organization's online  
764 platform for a lower price, the organization shall reimburse the  
765 parent the cost of the product.

766 6. May, from eligible contributions received pursuant to  
767 s. 1002.395(6)(l)1. ~~s. 1002.395(6)(j)1.~~, use an amount not to  
768 exceed 2.5 percent of the total amount of all scholarships  
769 funded under this section for administrative expenses associated  
770 with performing functions under this section. An eligible  
771 nonprofit scholarship-funding organization that has, for the  
772 prior fiscal year, complied with the expenditure requirements of  
773 s. 1002.395(6)(l)2., may use an amount not to exceed 3 percent.  
774 Such administrative expense amount is considered within the 3  
775 percent limit on the total amount an organization may use to

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776 administer scholarships under this chapter.

777 ~~7.5.~~ Must, in a timely manner, submit any information  
778 requested by the department relating to the scholarship under  
779 this section.

780 ~~8.6.~~ Must notify the department about any violation of  
781 this section ~~by a parent or a private school.~~

782 9. Must document each student's eligibility for a fiscal  
783 year before granting a scholarship for that fiscal year. A  
784 student is ineligible for a scholarship if the student's account  
785 has been inactive for 2 consecutive fiscal years.

786 10. Must notify each parent that participation in the  
787 scholarship program does not guarantee enrollment.

788 11. Shall commit scholarship funds on behalf of the  
789 student for tuition and fees for which the parent is responsible  
790 for payment at the private school before using empowerment  
791 account funds for additional authorized uses under paragraph (4)  
792 (a).

793 (12) SCHOLARSHIP FUNDING AND PAYMENT.—

794 (a)1. Scholarships for students determined eligible  
795 pursuant to paragraph (3) (a) may be funded once all scholarships  
796 have been funded in accordance with s. 1002.395(6)(1)2. are  
797 established for up to 18,000 students annually beginning in the  
798 2019-2020 school year. Beginning in the 2020-2021 school year,  
799 the maximum number of students participating in the scholarship  
800 program under this section shall annually increase by 1.0



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801 ~~percent of the state's total full-time equivalent student~~  
 802 ~~membership. An eligible student who meets any of the following~~  
 803 ~~requirements shall be excluded from the maximum number of~~  
 804 ~~students if the student:~~

805 ~~a. Is a dependent child of a law enforcement officer or a~~  
 806 ~~member of the United States Armed Forces, a foster child, or an~~  
 807 ~~adopted child; or~~

808 ~~b. Is determined eligible pursuant to subparagraph~~  
 809 ~~(3)(a)1. or subparagraph (3)(a)2. and either spent the prior~~  
 810 ~~school year in attendance at a Florida public school; or,~~  
 811 ~~beginning in the 2022-2023 school year, is eligible to enroll in~~  
 812 ~~kindergarten. For purposes of this subparagraph, the term "prior~~  
 813 ~~school year in attendance" means that the student was enrolled~~  
 814 ~~and reported by a school district for funding during either the~~  
 815 ~~preceding October or February full-time equivalent student~~  
 816 ~~membership surveys in kindergarten through grade 12, which~~  
 817 ~~includes time spent in a Department of Juvenile Justice~~  
 818 ~~commitment program if funded under the Florida Education Finance~~  
 819 ~~Program.~~

820 ~~2. The scholarship amount provided to a student for any~~  
 821 ~~single school year shall be for tuition and fees for an eligible~~  
 822 ~~private school, not to exceed annual limits, which shall be~~  
 823 ~~determined in accordance with this subparagraph. The calculated~~  
 824 ~~scholarship amount for a participating student determined~~  
 825 ~~eligible pursuant to paragraph (3)(a) shall be based upon the~~

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826 grade level and school district in which the student was  
827 assigned as 100 percent of the funds per unweighted full-time  
828 equivalent in the Florida Education Finance Program for a  
829 student in the basic program established pursuant to s.  
830 1011.62(1)(c)1., plus a per-full-time equivalent share of funds  
831 for all categorical programs, except for the exceptional student  
832 education guaranteed allocation established pursuant to s.  
833 1011.62(1)(e).

834 ~~3. The amount of the scholarship shall be the calculated~~  
835 ~~amount or the amount of the private school's tuition and fees,~~  
836 ~~whichever is less. The amount of any assessment fee required by~~  
837 ~~the participating private school and any costs to provide a~~  
838 ~~digital device, including Internet access, if necessary, to the~~  
839 ~~student may be paid from the total amount of the scholarship.~~

840 2.4. A scholarship of \$750 or an amount equal to the  
841 school district expenditure per student riding a school bus, as  
842 determined by the department, whichever is greater, may be  
843 awarded to an eligible a student who is ~~determined eligible~~  
844 ~~pursuant to subparagraph (3)(a)1. or subparagraph (3)(a)2. and~~  
845 enrolled in a Florida public school that is different from the  
846 school to which the student was assigned or in a lab school as  
847 defined in s. 1002.32 if the school district does not provide  
848 the student with transportation to the school.

849 3.5. The organization must provide the department with the  
850 documentation necessary to verify the student's participation.

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851 Upon receiving the documentation, the department shall transfer,  
 852 beginning August 1, from state funds only, the amount calculated  
 853 pursuant to subparagraph 2. to the organization for quarterly  
 854 disbursement to parents of participating students each school  
 855 year in which the scholarship is in force. For a student exiting  
 856 a Department of Juvenile Justice commitment program who chooses  
 857 to participate in the scholarship program, the amount of the  
 858 Family Empowerment Scholarship calculated pursuant to  
 859 subparagraph 2. must be transferred from the school district in  
 860 which the student last attended a public school before  
 861 commitment to the Department of Juvenile Justice. When a student  
 862 enters the scholarship program, the organization must receive  
 863 all documentation required for the student's participation,  
 864 including the private school's and the student's fee schedules,  
 865 at least 30 days before the first quarterly scholarship payment  
 866 is made for the student.

867 ~~4.6-~~ The initial payment shall be made after the  
 868 organization's verification of admission acceptance, and  
 869 subsequent payments shall be made upon verification of continued  
 870 enrollment and attendance at the private school. Payment must be  
 871 ~~by individual warrant made payable to the student's parent or by~~  
 872 funds transfer or any other means of payment that the department  
 873 deems to be commercially viable or cost-effective. ~~If the~~  
 874 ~~payment is made by warrant, the warrant must be delivered by the~~  
 875 ~~organization to the private school of the parent's choice, and~~

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876 | ~~the parent shall restrictively endorse the warrant to the~~  
 877 | ~~private school. An organization shall ensure that the parent to~~  
 878 | ~~whom the warrant is made has restrictively endorsed the warrant~~  
 879 | ~~to the private school for deposit into the account of the~~  
 880 | ~~private school or that the parent has approved a funds transfer~~  
 881 | before any scholarship funds are deposited.

882 |       5. An organization may not transfer any funds to an  
 883 | account of a student determined eligible pursuant to paragraph  
 884 | (3) (a) which has a balance in excess of \$24,000.

885 |       (b)1. Scholarships for students determined eligible  
 886 | pursuant to paragraph (3) (b) are established for up to 26,500  
 887 | students annually beginning in the 2022-2023 school year.  
 888 | Beginning in the 2023-2024 school year, the maximum number of  
 889 | students participating in the scholarship program under this  
 890 | section shall annually increase by 3.0 ~~1.0~~ percent of the  
 891 | state's total exceptional student education full-time equivalent  
 892 | student membership, not including gifted students. An eligible  
 893 | student who meets any of the following requirements shall be  
 894 | excluded from the maximum number of students if the student:

895 |       a. Received specialized instructional services under the  
 896 | Voluntary Prekindergarten Education Program pursuant to s.  
 897 | 1002.66 during the previous school year and the student has a  
 898 | current IEP developed by the district school board in accordance  
 899 | with rules of the State Board of Education;

900 |       b. Is a dependent child of a law enforcement officer or a

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901 member of the United States Armed Forces, a foster child, or an  
 902 adopted child; or

903 c. Spent the prior school year in attendance at a Florida  
 904 public school or the Florida School for the Deaf and the Blind.  
 905 For purposes of this subparagraph, the term "prior school year  
 906 in attendance" means that the student was enrolled and reported  
 907 by:

908 (I) A school district for funding during either the  
 909 preceding October or February full-time equivalent student  
 910 membership surveys in kindergarten through grade 12, which  
 911 includes time spent in a Department of Juvenile Justice  
 912 commitment program if funded under the Florida Education Finance  
 913 Program;

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

917 (III) A school district for funding during the preceding  
 918 October or February full-time equivalent student membership  
 919 surveys, was at least 4 years of age when enrolled and reported,  
 920 and was eligible for services under s. 1003.21(1)(e); or

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

923 2. For a student who has a Level I to Level III matrix of  
 924 services or a diagnosis by a physician or psychologist, the  
 925 calculated scholarship amount for a student participating in the

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926 program must be based upon the grade level and school district  
 927 in which the student would have been enrolled as the total funds  
 928 per unweighted full-time equivalent in the Florida Education  
 929 Finance Program for a student in the basic exceptional student  
 930 education program pursuant to s. 1011.62(1)(c)1. and (e)1.c.,  
 931 plus a per full-time equivalent share of funds for all  
 932 categorical programs, as funded in the General Appropriations  
 933 Act, except that for the exceptional student education  
 934 guaranteed allocation, as provided in s. 1011.62(1)(e)1.c. and  
 935 2., the funds must be allocated based on the school district's  
 936 average exceptional student education guaranteed allocation  
 937 funds per exceptional student education full-time equivalent  
 938 student.

939 3. For a student with a Level IV or Level V matrix of  
 940 services, the calculated scholarship amount must be based upon  
 941 the school district to which the student would have been  
 942 assigned as the total funds per full-time equivalent for the  
 943 Level IV or Level V exceptional student education program  
 944 pursuant to s. 1011.62(1)(c)2.a. or b., plus a per-full time  
 945 equivalent share of funds for all categorical programs, as  
 946 funded in the General Appropriations Act.

947 4. For a student who received a Gardiner Scholarship  
 948 pursuant to s. 1002.385 in the 2020-2021 school year, the amount  
 949 shall be the greater of the amount calculated pursuant to  
 950 subparagraph 2. or the amount the student received for the 2020-

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951 | 2021 school year.

952 |         5. For a student who received a John M. McKay Scholarship  
 953 | pursuant to s. 1002.39 in the 2020-2021 school year, the amount  
 954 | shall be the greater of the amount calculated pursuant to  
 955 | subparagraph 2. or the amount the student received for the 2020-  
 956 | 2021 school year.

957 |         6. The organization must provide the department with the  
 958 | documentation necessary to verify the student's participation.

959 |         7. Upon receiving the documentation, the department shall  
 960 | release, from state funds only, the student's scholarship funds  
 961 | to the organization, to be deposited into the student's account  
 962 | in four equal amounts no later than September 1, November 1,  
 963 | February 1, and April 1 of each school year in which the  
 964 | scholarship is in force.

965 |         8. Accrued interest in the student's account is in  
 966 | addition to, and not part of, the awarded funds. Program funds  
 967 | include both the awarded funds and accrued interest.

968 |         9. The organization may develop a system for payment of  
 969 | benefits by funds transfer, including, but not limited to, debit  
 970 | cards, electronic payment cards, or any other means of payment  
 971 | which the department deems to be commercially viable or cost-  
 972 | effective. A student's scholarship award may not be reduced for  
 973 | debit card or electronic payment fees. Commodities or services  
 974 | related to the development of such a system must be procured by  
 975 | competitive solicitation unless they are purchased from a state

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976 term contract pursuant to s. 287.056.

977 10. An organization may not transfer any funds to an  
 978 account of a student determined to be eligible pursuant to  
 979 paragraph (3)(b) which has a balance in excess of \$50,000.

980 ~~11.10.~~ Moneys received pursuant to this section do not  
 981 constitute taxable income to the qualified student or the parent  
 982 of the qualified student.

983 Section 6. Paragraphs (b) through (f), (g) through (i),  
 984 and (j) and (k) of subsection (2) of section 1002.395, Florida  
 985 Statutes, are redesignated as paragraphs (c) through (g), (i)  
 986 through (k), and (o) and (p), respectively, paragraphs (e)  
 987 through (f) and (g) through (q) of subsection (6) are  
 988 redesignated as paragraphs (f) through (g) and (i) through (s),  
 989 respectively, present paragraphs (e) and (g) of subsection (2),  
 990 paragraph (b) of subsection (3), subsection (4), present  
 991 paragraphs (b), (d), (f), (j), and (o) of subsection (6),  
 992 subsection (7), paragraphs (a), (b), (c), (e), (f), and (j) of  
 993 subsection (9), paragraph (b) of subsection (11), and subsection  
 994 (15) are amended, and new paragraphs (b), (h), (l), (m), and (n)  
 995 are added to subsection (2), paragraphs (e), (h), (t), (u), (v),  
 996 (w), and (x) are added to subsection (6), paragraph (k) is added  
 997 to subsection (9), and paragraphs (e) through (h) are added to  
 998 subsection (11) of that section, to read:

999 1002.395 Florida Tax Credit Scholarship Program.—

1000 (2) DEFINITIONS.—As used in this section, the term:



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1001        (b) "Choice navigator" means an individual who meets the  
 1002 requirements of sub-subparagraph (6)(d)2.h. and who provides  
 1003 consultations, at a mutually agreed upon location, on the  
 1004 selection of, application for, and enrollment in educational  
 1005 options addressing the academic needs of a student; curriculum  
 1006 selection; and advice on career and postsecondary education  
 1007 opportunities. However, nothing in this section authorizes a  
 1008 choice navigator to oversee or exercise control over the  
 1009 curricula or academic programs of a personalized education  
 1010 program.

1011        (f)~~(e)~~ "Eligible contribution" means a monetary  
 1012 contribution from a taxpayer, subject to the restrictions  
 1013 provided in this section, to an eligible nonprofit scholarship-  
 1014 funding organization pursuant to ss. 212.099, 212.1832,  
 1015 1002.395, and 1002.40. The taxpayer making the contribution may  
 1016 not designate a specific child as the beneficiary of the  
 1017 contribution.

1018        (h) "Eligible postsecondary educational institution" means  
 1019 a Florida College System institution; a state university; a  
 1020 school district technical center; a school district adult  
 1021 general education center; an independent college or university  
 1022 eligible to participate in the William L. Boyd, IV, Effective  
 1023 Access to Student Education Grant Program under s. 1009.89; or  
 1024 an accredited independent postsecondary educational institution,  
 1025 as defined in s. 1005.02, which is licensed to operate in this

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1026 state under part III of chapter 1005 or is approved to  
 1027 participate in a reciprocity agreement as defined in s.  
 1028 1000.35(2).

1029 (i)~~(g)~~ "Eligible private school" means a private school,  
 1030 as defined in s. 1002.01 ~~s. 1002.01(2)~~, located in Florida which  
 1031 offers an education to students in any grades K-12 and that  
 1032 meets the requirements in subsection (8).

1033 (l) "Personalized education program" has the same meaning  
 1034 as in s. 1002.01.

1035 (m) "Personalized education student" means a student whose  
 1036 parent applies to an eligible nonprofit scholarship-funding  
 1037 organization for participation in a personalized education  
 1038 program.

1039 (n) "Student learning plan" means a customized learning  
 1040 plan developed by a parent, at least annually, to guide  
 1041 instruction for his or her student and to identify the goods and  
 1042 services needed to address the academic needs of his or her  
 1043 student.

1044 (3) PROGRAM; INITIAL SCHOLARSHIP ELIGIBILITY.—

1045 (b)1. A student is eligible for a Florida tax credit  
 1046 scholarship under this section if the student is a resident of  
 1047 this state and is eligible to enroll in kindergarten through  
 1048 grade 12 in a public school in this state ~~meets one or more of~~  
 1049 ~~the following criteria:~~

1050 ~~1. The student is on the direct certification list or the~~

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1051 ~~student's household income level does not exceed 375 percent of~~  
 1052 ~~the federal poverty level or an adjusted maximum percent of the~~  
 1053 ~~federal poverty level authorized under s. 1002.394(3)(a)3.; or~~  
 1054 ~~2. The student is currently placed, or during the previous~~  
 1055 ~~state fiscal year was placed, in foster care or in out-of-home~~  
 1056 ~~care as defined in s. 39.01.~~  
 1057 2. Priority must be given in the following order: to  
 1058 a. A student whose household income level does not exceed  
 1059 185 percent of the federal poverty level or who is in foster  
 1060 care or out-of-home care.  
 1061 b. A student whose household income level exceeds 185  
 1062 percent of the federal poverty level, but does not exceed 400  
 1063 percent of the federal poverty level. who initially receives a  
 1064 scholarship based on eligibility under this paragraph remains  
 1065 eligible to participate until he or she graduates from high  
 1066 school or attains the age of 21 years, whichever occurs first,  
 1067 regardless of the student's household income level. A sibling of  
 1068 a student who is participating in the scholarship program under  
 1069 this subsection is eligible for a scholarship if the student  
 1070 resides in the same household as the sibling.  
 1071 (4) SCHOLARSHIP PROHIBITIONS.—A student is not eligible  
 1072 for a scholarship while he or she is:  
 1073 (a) Enrolled in a public school, including, but not  
 1074 limited to, the Florida School for the Deaf and the Blind, the  
 1075 College-Preparatory Boarding Academy, a developmental research

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1076 school authorized under s. 1002.32, or a charter school  
 1077 authorized under this chapter. For purposes of this paragraph, a  
 1078 3- or 4-year-old child who receives services funded through the  
 1079 Florida Education Finance Program is considered a student  
 1080 enrolled in a public school;

1081 (b)(a) Enrolled in a school operating for the purpose of  
 1082 providing educational services to youth in a Department of  
 1083 Juvenile Justice commitment program ~~programs;~~

1084 ~~(b)~~ ~~Receiving a scholarship from another eligible~~  
 1085 ~~nonprofit scholarship-funding organization under this section;~~

1086 (c) Receiving any other ~~an~~ educational scholarship  
 1087 pursuant to this chapter;

1088 (d) Not having regular and direct contact with his or her  
 1089 private school teachers pursuant to s. 1002.421(1)(i) unless he  
 1090 or she is enrolled in a personalized education program;

1091 (e)(d) Participating in a home education program as  
 1092 defined in s. 1002.01(1);

1093 (f)(e) Participating in a private tutoring program  
 1094 pursuant to s. 1002.43 unless he or she is enrolled in a  
 1095 personalized education program; or

1096 (g)(f) Participating in a virtual instruction pursuant to  
 1097 s. 1002.455 school, correspondence school, or distance learning  
 1098 ~~program~~ that receives state funding pursuant to the student's  
 1099 participation ~~unless the participation is limited to no more~~  
 1100 ~~than two courses per school year; or~~

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1101 ~~(g) Enrolled in the Florida School for the Deaf and the~~  
 1102 ~~Blind.~~

1103 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING  
 1104 ORGANIZATIONS.—An eligible nonprofit scholarship-funding  
 1105 organization:

1106 (b) Must comply with the following background check  
 1107 requirements:

1108 1. All owners and operators as defined in subparagraph  
 1109 (2)(k)1. ~~(2)(i)1.~~ are, before employment or engagement to  
 1110 provide services, subject to level 2 background screening as  
 1111 provided under chapter 435. The fingerprints for the background  
 1112 screening must be electronically submitted to the Department of  
 1113 Law Enforcement and can be taken by an authorized law  
 1114 enforcement agency or by an employee of the eligible nonprofit  
 1115 scholarship-funding organization or a private company who is  
 1116 trained to take fingerprints. However, the complete set of  
 1117 fingerprints of an owner or operator may not be taken by the  
 1118 owner or operator. The results of the state and national  
 1119 criminal history check shall be provided to the Department of  
 1120 Education for screening under chapter 435. The cost of the  
 1121 background screening may be borne by the eligible nonprofit  
 1122 scholarship-funding organization or the owner or operator.

1123 2. Every 5 years following employment or engagement to  
 1124 provide services or association with an eligible nonprofit  
 1125 scholarship-funding organization, each owner or operator must

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1126 meet level 2 screening standards as described in s. 435.04, at  
1127 which time the nonprofit scholarship-funding organization shall  
1128 request the Department of Law Enforcement to forward the  
1129 fingerprints to the Federal Bureau of Investigation for level 2  
1130 screening. If the fingerprints of an owner or operator are not  
1131 retained by the Department of Law Enforcement under subparagraph  
1132 3., the owner or operator must electronically file a complete  
1133 set of fingerprints with the Department of Law Enforcement. Upon  
1134 submission of fingerprints for this purpose, the eligible  
1135 nonprofit scholarship-funding organization shall request that  
1136 the Department of Law Enforcement forward the fingerprints to  
1137 the Federal Bureau of Investigation for level 2 screening, and  
1138 the fingerprints shall be retained by the Department of Law  
1139 Enforcement under subparagraph 3.

1140 3. Fingerprints submitted to the Department of Law  
1141 Enforcement as required by this paragraph must be retained by  
1142 the Department of Law Enforcement in a manner approved by rule  
1143 and entered in the statewide automated biometric identification  
1144 system authorized by s. 943.05(2)(b). The fingerprints must  
1145 thereafter be available for all purposes and uses authorized for  
1146 arrest fingerprints entered in the statewide automated biometric  
1147 identification system pursuant to s. 943.051.

1148 4. The Department of Law Enforcement shall search all  
1149 arrest fingerprints received under s. 943.051 against the  
1150 fingerprints retained in the statewide automated biometric

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1151 identification system under subparagraph 3. Any arrest record  
 1152 that is identified with an owner's or operator's fingerprints  
 1153 must be reported to the Department of Education. The Department  
 1154 of Education shall participate in this search process by paying  
 1155 an annual fee to the Department of Law Enforcement and by  
 1156 informing the Department of Law Enforcement of any change in the  
 1157 employment, engagement, or association status of the owners or  
 1158 operators whose fingerprints are retained under subparagraph 3.  
 1159 The Department of Law Enforcement shall adopt a rule setting the  
 1160 amount of the annual fee to be imposed upon the Department of  
 1161 Education for performing these services and establishing the  
 1162 procedures for the retention of owner and operator fingerprints  
 1163 and the dissemination of search results. The fee may be borne by  
 1164 the owner or operator of the nonprofit scholarship-funding  
 1165 organization.

1166         5. A nonprofit scholarship-funding organization whose  
 1167 owner or operator fails the level 2 background screening is not  
 1168 eligible to provide scholarships under this section.

1169         6. A nonprofit scholarship-funding organization whose  
 1170 owner or operator in the last 7 years has filed for personal  
 1171 bankruptcy or corporate bankruptcy in a corporation of which he  
 1172 or she owned more than 20 percent shall not be eligible to  
 1173 provide scholarships under this section.

1174         7. In addition to the offenses listed in s. 435.04, a  
 1175 person required to undergo background screening pursuant to this

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1176 part or authorizing statutes must not have an arrest awaiting  
 1177 final disposition for, must not have been found guilty of, or  
 1178 entered a plea of nolo contendere to, regardless of  
 1179 adjudication, and must not have been adjudicated delinquent, and  
 1180 the record must not have been sealed or expunged for, any of the  
 1181 following offenses or any similar offense of another  
 1182 jurisdiction:

- 1183 a. Any authorizing statutes, if the offense was a felony.
- 1184 b. This chapter, if the offense was a felony.
- 1185 c. Section 409.920, relating to Medicaid provider fraud.
- 1186 d. Section 409.9201, relating to Medicaid fraud.
- 1187 e. Section 741.28, relating to domestic violence.
- 1188 f. Section 817.034, relating to fraudulent acts through  
 1189 mail, wire, radio, electromagnetic, photoelectronic, or  
 1190 photooptical systems.
- 1191 g. Section 817.234, relating to false and fraudulent  
 1192 insurance claims.
- 1193 h. Section 817.505, relating to patient brokering.
- 1194 i. Section 817.568, relating to criminal use of personal  
 1195 identification information.
- 1196 j. Section 817.60, relating to obtaining a credit card  
 1197 through fraudulent means.
- 1198 k. Section 817.61, relating to fraudulent use of credit  
 1199 cards, if the offense was a felony.
- 1200 l. Section 831.01, relating to forgery.



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1201 m. Section 831.02, relating to uttering forged  
 1202 instruments.

1203 n. Section 831.07, relating to forging bank bills, checks,  
 1204 drafts, or promissory notes.

1205 o. Section 831.09, relating to uttering forged bank bills,  
 1206 checks, drafts, or promissory notes.

1207 p. Section 831.30, relating to fraud in obtaining  
 1208 medicinal drugs.

1209 q. Section 831.31, relating to the sale, manufacture,  
 1210 delivery, or possession with the intent to sell, manufacture, or  
 1211 deliver any counterfeit controlled substance, if the offense was  
 1212 a felony.

1213 (d)1. For the 2023-2024 school year, may fund no more than  
 1214 20,000 scholarships for students who are enrolled pursuant to  
 1215 paragraph (7) (b). The number of scholarships funded for such  
 1216 students may increase by 40,000 in each subsequent school year.  
 1217 This subparagraph is repealed July 1, 2027.

1218 2. Must establish and maintain separate empowerment  
 1219 accounts from eligible contributions for each eligible student.  
 1220 For each account, the organization must maintain a record of  
 1221 accrued interest retained in the student's account. The  
 1222 organization must verify that scholarship funds are used for  
 1223 ~~provide scholarships, from eligible contributions, to eligible~~  
 1224 ~~students for the cost of:~~

1225 ~~a.1.~~ Tuition and fees for full-time or part-time

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1226 enrollment in an eligible private school.~~;~~ ~~or~~

1227 b.2. Transportation to a Florida public school in which a

1228 student is enrolled and that is different from the school to

1229 which the student was assigned or to a lab school as defined in

1230 s. 1002.32.

1231 c. Instructional materials, including digital materials

1232 and Internet resources.

1233 d. Curriculum as defined in s. 1002.394(2).

1234 e. Tuition and fees associated with full-time or part-time

1235 enrollment in a home education instructional program; an

1236 eligible postsecondary educational institution or a program

1237 offered by the postsecondary educational institution, unless the

1238 program is subject to s. 1009.25 or reimbursed pursuant to s.

1239 1009.30; an approved preapprenticeship program as defined in s.

1240 446.021(5) which is not subject to s. 1009.25 and complies with

1241 all applicable requirements of the Department of Education

1242 pursuant to chapter 1005; a private tutoring program authorized

1243 under s. 1002.43; a virtual program offered by a department-

1244 approved private online provider that meets the provider

1245 qualifications specified in s. 1002.45(2)(a); the Florida

1246 Virtual School as a private paying student; or an approved

1247 online course offered pursuant to s. 1003.499 or s. 1004.0961.

1248 f. Fees for nationally standardized, norm-referenced

1249 achievement tests, Advanced Placement Examinations, industry

1250 certification examinations, assessments related to postsecondary

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1251 education, or other assessments.  
 1252 g. Contracted services provided by a public school or  
 1253 school district, including classes. A student who receives  
 1254 contracted services under this sub-subparagraph is not  
 1255 considered enrolled in a public school for eligibility purposes  
 1256 as specified in subsection (11) but rather attending a public  
 1257 school on a part-time basis as authorized under s. 1002.44.

1258 h. Tuition and fees for part-time tutoring services or  
 1259 fees for services provided by a choice navigator. Such services  
 1260 must be provided by a person who holds a valid Florida  
 1261 educator's certificate pursuant to s. 1012.56, a person who  
 1262 holds an adjunct teaching certificate pursuant to s. 1012.57, a  
 1263 person who has a bachelor's degree or a graduate degree in the  
 1264 subject area in which instruction is given, a person who has  
 1265 demonstrated a mastery of subject area knowledge pursuant to s.  
 1266 1012.56(5), or a person certified by a nationally or  
 1267 internationally recognized research-based training program as  
 1268 approved by the Department of Education. As used in this  
 1269 paragraph, the term "part-time tutoring services" does not  
 1270 qualify as regular school attendance as defined in s.  
 1271 1003.01(13)(e).

1272 (e) For students determined eligible pursuant to paragraph  
 1273 (7)(b), must:

1274 1. Maintain a signed agreement from the parent which  
 1275 constitutes compliance with the attendance requirements under

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1276 ss. 1003.01(13) and 1003.21(1).

1277 2. Receive eligible student test scores and, beginning  
1278 with the 2027-2028 school year, by August 15, annually report  
1279 test scores for students pursuant to paragraph (7) (b) to a state  
1280 university pursuant to paragraph (9) (f).

1281 3. Provide parents with information, guidance, and support  
1282 to create and annually update a student learning plan for their  
1283 student. The organization must maintain the plan and allow  
1284 parents to electronically submit, access, and revise the plan  
1285 continuously.

1286 4. Upon submission by the parent of an annual student  
1287 learning plan, fund a scholarship for a student determined  
1288 eligible.

1289 (g) ~~(f)~~ Must provide a renewal or initial scholarship to an  
1290 eligible student on a first-come, first-served basis unless the  
1291 student qualifies for priority pursuant to paragraph (f) ~~(e)~~.

1292 (h) Each eligible nonprofit scholarship-funding  
1293 organization must refer any student eligible for a scholarship  
1294 pursuant to this section who did not receive a renewal or  
1295 initial scholarship based solely on the lack of available funds  
1296 under this section and s. 1002.40(11)(i) to another eligible  
1297 nonprofit scholarship-funding organization that may have funds  
1298 available.

1299 (l) ~~(j)~~1. May use eligible contributions received pursuant  
1300 to this section and ss. 212.099, 212.1832, and 1002.40 during

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1301 the state fiscal year in which such contributions are collected  
 1302 for administrative expenses if the organization has operated as  
 1303 an eligible nonprofit scholarship-funding organization for at  
 1304 least the preceding 3 fiscal years and did not have any findings  
 1305 of material weakness or material noncompliance in its most  
 1306 recent audit under paragraph (o) or is in good standing in each  
 1307 state in which it administers a scholarship program and the  
 1308 audited financial statements for the preceding 3 fiscal years  
 1309 are free of material misstatements and going concern issues ~~(m)~~.  
 1310 Administrative expenses from eligible contributions may not  
 1311 exceed 3 percent of the total amount of all scholarships funded  
 1312 by an eligible scholarship-funding organization under this  
 1313 chapter. Such administrative expenses must be reasonable and  
 1314 necessary for the organization's management and distribution of  
 1315 scholarships funded under this chapter. Administrative expenses  
 1316 may include developing or contracting with rideshare programs or  
 1317 facilitating carpool strategies for recipients of a  
 1318 transportation scholarship. No funds authorized under this  
 1319 subparagraph shall be used for lobbying or political activity or  
 1320 expenses related to lobbying or political activity. Up to one-  
 1321 third of the funds authorized for administrative expenses under  
 1322 this subparagraph may be used for expenses related to the  
 1323 recruitment of contributions from taxpayers. An eligible  
 1324 nonprofit scholarship-funding organization may not charge an  
 1325 application fee.

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1326           2. Must award ~~expend~~ for annual or partial-year  
 1327 scholarships an amount equal to or greater than 75 percent of  
 1328 all estimated ~~the~~ net eligible contributions, as defined in  
 1329 subsection (2), and all funds carried forward from the prior  
 1330 state fiscal year remaining after administrative expenses before  
 1331 funding any scholarships to students determined eligible  
 1332 pursuant to s. 1002.394(3)(a) ~~during the state fiscal year in~~  
 1333 ~~which such contributions are collected~~. No more than 25 percent  
 1334 of such net eligible contributions may be carried forward to the  
 1335 following state fiscal year. All amounts carried forward, for  
 1336 audit purposes, must be specifically identified for particular  
 1337 students, by student name and the name of the school to which  
 1338 the student is admitted, subject to the requirements of ss.  
 1339 1002.22 and 1002.221 and 20 U.S.C. s. 1232g, and the applicable  
 1340 rules and regulations issued pursuant thereto. Any amounts  
 1341 carried forward shall be expended for annual or partial-year  
 1342 scholarships in the following state fiscal year. No later than  
 1343 September 30 of each year, net eligible contributions remaining  
 1344 on June 30 of each year that are in excess of the 25 percent  
 1345 that may be carried forward shall be used to provide  
 1346 scholarships to eligible students or transferred to other  
 1347 eligible nonprofit scholarship-funding organizations to provide  
 1348 scholarships for eligible students. All transferred funds must  
 1349 be deposited by each eligible nonprofit scholarship-funding  
 1350 organization receiving such funds into its scholarship account.

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1351 All transferred amounts received by any eligible nonprofit  
 1352 scholarship-funding organization must be separately disclosed in  
 1353 the annual financial audit required under paragraph (o) ~~(m)~~.

1354 3. Must, before granting a scholarship for an academic  
 1355 year, document each scholarship student's eligibility for that  
 1356 academic year. A scholarship-funding organization may not grant  
 1357 multiyear scholarships in one approval process.

1358 (q) ~~(e)~~ 1.a. Must participate in the joint development of  
 1359 agreed-upon procedures during the 2009-2010 state fiscal year.  
 1360 The agreed-upon procedures must uniformly apply to all private  
 1361 schools and must determine, at a minimum, whether the private  
 1362 school has been verified as eligible by the Department of  
 1363 Education under s. 1002.421; has an adequate accounting system,  
 1364 system of financial controls, and process for deposit and  
 1365 classification of scholarship funds; and has properly expended  
 1366 scholarship funds for education-related expenses. During the  
 1367 development of the procedures, the participating scholarship-  
 1368 funding organizations shall specify guidelines governing the  
 1369 materiality of exceptions that may be found during the  
 1370 accountant's performance of the procedures. The procedures and  
 1371 guidelines shall be provided to private schools and the  
 1372 Commissioner of Education by March 15, 2011.

1373 b. Must participate in a joint review of the agreed-upon  
 1374 procedures and guidelines developed under sub-subparagraph a.,  
 1375 by February of each biennium, if the scholarship-funding

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1376 organization provided more than \$250,000 in scholarship funds ~~to~~  
 1377 ~~an eligible private school~~ under this chapter during the state  
 1378 fiscal year preceding the biennial review. If the procedures and  
 1379 guidelines are revised, the revisions must be provided to  
 1380 private schools and the Commissioner of Education by March 15 of  
 1381 the year in which the revisions were completed. The revised  
 1382 agreed-upon procedures and guidelines shall take effect the  
 1383 subsequent school year. ~~For the 2018-2019 school year only, the~~  
 1384 ~~joint review of the agreed-upon procedures must be completed and~~  
 1385 ~~the revisions submitted to the commissioner no later than~~  
 1386 ~~September 15, 2018. The revised procedures are applicable to the~~  
 1387 ~~2018-2019 school year.~~

1388 c. Must monitor the compliance of a private school with s.  
 1389 1002.421(1)(q) if the scholarship-funding organization provided  
 1390 the majority of the scholarship funding to the school. For each  
 1391 private school subject to s. 1002.421(1)(q), the appropriate  
 1392 scholarship-funding organization shall annually notify the  
 1393 Commissioner of Education by October 30 of:

1394 (I) A private school's failure to submit a report required  
 1395 under s. 1002.421(1)(q); or

1396 (II) Any material exceptions set forth in the report  
 1397 required under s. 1002.421(1)(q).

1398 2. Must seek input from the accrediting associations that  
 1399 are members of the Florida Association of Academic Nonpublic  
 1400 Schools and the Department of Education when jointly developing



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1401 the agreed-upon procedures and guidelines under sub-subparagraph  
1402 1.a. and conducting a review of those procedures and guidelines  
1403 under sub-subparagraph 1.b.

1404 (t) Must participate in the joint development of agreed-  
1405 upon purchasing guidelines for authorized uses of scholarship  
1406 funds under this chapter. By December 31, 2023, and by each  
1407 December 31 thereafter, the purchasing guidelines must be  
1408 provided to the Commissioner of Education and published on the  
1409 eligible nonprofit scholarship-funding organization's website.  
1410 Published purchasing guidelines shall remain in effect until  
1411 there is unanimous agreement to revise the guidelines and the  
1412 revisions must be provided to the commissioner and published on  
1413 the organization's website within 30 days after such revisions.

1414 (u) May permit eligible students to use program funds for  
1415 the purposes specified in paragraph (d) by paying for the  
1416 authorized use directly, then submitting a reimbursement request  
1417 to the eligible nonprofit scholarship-funding organization.  
1418 However, an eligible nonprofit scholarship-funding organization  
1419 may require the use of an online platform for direct purchases  
1420 of products so long as such use does not limit a parent's choice  
1421 of curriculum or academic programs. If a parent purchases a  
1422 product identical to one offered by an organization's online  
1423 platform for a lower price, the organization shall reimburse the  
1424 parent the cost of the product.

1425 (v) Must notify each parent that participation in the

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1426 | scholarship program does not guarantee enrollment.

1427 |       (w) Shall commit scholarship funds on behalf of the  
 1428 | student for tuition and fees for which the parent is responsible  
 1429 | for payment at the private school before using empowerment  
 1430 | account funds for additional authorized uses under paragraph  
 1431 | (d).

1432 |       (x) Beginning September 30, 2023, must submit to the  
 1433 | department quarterly reports that provide the estimated and  
 1434 | actual amounts of the net eligible contributions, as defined in  
 1435 | subsection (2), and all funds carried forward from the prior  
 1436 | state fiscal year.

1437 |  
 1438 | Information and documentation provided to the Department of  
 1439 | Education and the Auditor General relating to the identity of a  
 1440 | taxpayer that provides an eligible contribution under this  
 1441 | section shall remain confidential at all times in accordance  
 1442 | with s. 213.053.

1443 |       (7) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM  
 1444 | PARTICIPATION.—

1445 |       (a) A parent whose student will be enrolled full time in a  
 1446 | private school must:

1447 |           1. ~~The parent must~~ Select an eligible private school and  
 1448 | apply for the admission of his or her child.

1449 |           2. ~~(b) The parent must~~ Inform the child's school district  
 1450 | when the parent withdraws his or her child to attend an eligible

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1451 private school.

1452 3.(e) Require his or her any student participating in the  
1453 ~~scholarship~~ program to ~~must~~ remain in attendance throughout the  
1454 school year unless excused by the school for illness or other  
1455 good cause ~~and~~.

1456 ~~(d) Each parent and each student has an obligation to the~~  
1457 ~~private school to~~ comply with the private school's published  
1458 policies.

1459 4. Meet with the private school's principal or the  
1460 principal's designee to review the school's academic programs  
1461 and policies, specialized services, code of student conduct, and  
1462 attendance policies before enrollment in the private school.

1463 5.(e) Require his or her ~~The parent shall ensure that the~~  
1464 student participating in the ~~scholarship~~ program to take ~~takes~~  
1465 the norm-referenced assessment offered by the private school.  
1466 The parent may also choose to have the student participate in  
1467 the statewide assessments pursuant to s. 1008.22. If the parent  
1468 requests that the student participating in the scholarship  
1469 program take statewide assessments pursuant to s. 1008.22 and  
1470 the private school has not chosen to offer and administer the  
1471 statewide assessments, the parent is responsible for  
1472 transporting the student to the assessment site designated by  
1473 the school district.

1474 6.(f) Upon receipt of a scholarship warrant from the  
1475 ~~eligible nonprofit scholarship funding organization, the parent~~

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1476 ~~to whom the warrant is made must restrictively endorse the~~  
 1477 ~~warrant to the private school for deposit into the account of~~  
 1478 ~~the private school. If payments are made by funds transfer, the~~  
 1479 ~~parent must~~ Approve each payment before the scholarship funds  
 1480 may be deposited by funds transfer. The parent may not designate  
 1481 any entity or individual associated with the participating  
 1482 private school as the parent's attorney in fact to ~~endorse a~~  
 1483 ~~scholarship warrant or~~ approve a funds transfer. A participant  
 1484 who fails to comply with this paragraph forfeits the  
 1485 scholarship.

1486 7.(g) ~~The parent shall~~ Authorize the nonprofit  
 1487 scholarship-funding organization to access information needed  
 1488 for income eligibility determination and verification held by  
 1489 other state or federal agencies, including the Department of  
 1490 Revenue, the Department of Children and Families, the Department  
 1491 of Education, the Department of Economic Opportunity, and the  
 1492 Agency for Health Care Administration.

1493 8. Agree to have the organization commit scholarship funds  
 1494 on behalf of his or her student for tuition and fees for which  
 1495 the parent is responsible for payment at the private school  
 1496 before using empowerment account funds for additional authorized  
 1497 uses under paragraph (6)(d). A parent is responsible for all  
 1498 eligible expenses in excess of the amount of the scholarship.

1499 (b) A parent whose student will not be enrolled full time  
 1500 in a public or private school must:

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1501       1. Apply to an eligible nonprofit scholarship-funding  
 1502 organization to participate in the program as a personalized  
 1503 education student by a date set by the organization. The request  
 1504 must be communicated directly to the organization in a manner  
 1505 that creates a written or electronic record of the request and  
 1506 the date of receipt of the request.

1507       2. Sign an agreement with the organization and annually  
 1508 submit a sworn compliance statement to the organization to  
 1509 satisfy or maintain program eligibility, including eligibility  
 1510 to receive and spend program payments, by:

1511           a. Affirming that the program funds are used only for  
 1512 authorized purposes serving the student's educational needs, as  
 1513 described in paragraph (6)(d), and that they will not receive a  
 1514 payment, refund, or rebate of any funds provided under this  
 1515 section.

1516           b. Affirming that the parent is responsible for all  
 1517 eligible expenses in excess of the amount of the scholarship and  
 1518 for the education of his or her student.

1519           c. Submitting a student learning plan to the organization  
 1520 and revising the plan at least annually before program renewal.

1521           d. Requiring his or her student to take a nationally norm-  
 1522 referenced test identified by the Department of Education, or a  
 1523 statewide assessment under s. 1008.22, and provide assessment  
 1524 results to the organization before the student's program  
 1525 renewal.

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1526 e. Renewing participation in the program each year. A  
 1527 student whose participation in the program is not renewed may  
 1528 continue to spend scholarship funds that are in his or her  
 1529 account from prior years unless the account must be closed  
 1530 pursuant to s. 1002.394(5)(a)2.

1531 f. Procuring the services necessary to educate the  
 1532 student. When the student receives a scholarship, the district  
 1533 school board is not obligated to provide the student with a free  
 1534 appropriate public education.

1535  
 1536 An eligible nonprofit scholarship-funding organization may not  
 1537 further regulate, exercise control over, or require  
 1538 documentation beyond the requirements of this subsection unless  
 1539 the regulation, control, or documentation is necessary for  
 1540 participation in the program.

1541 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of  
 1542 Education shall:

1543 (a) Annually submit to the department and division, by  
 1544 March 15, a list of eligible nonprofit scholarship-funding  
 1545 organizations that meet the requirements of paragraph (2)(g)  
 1546 ~~(2)(f)~~.

1547 (b) Annually verify the eligibility of nonprofit  
 1548 scholarship-funding organizations that meet the requirements of  
 1549 paragraph (2)(g) ~~(2)(f)~~.

1550 (c) Annually verify the eligibility of expenditures as

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1551 provided in paragraph (6) (d) using the audit required by  
1552 paragraph (6) (o) ~~(6) (m)~~.

1553 (e) Maintain and annually publish a list of nationally  
1554 norm-referenced tests identified for purposes of satisfying the  
1555 testing requirement in subparagraph (8) (b) 1. The tests must meet  
1556 industry standards of quality in accordance with State Board of  
1557 Education rule.

1558 (f) Issue a project grant award to a state university, to  
1559 which participating private schools and eligible nonprofit  
1560 scholarship-funding organizations must report the scores of  
1561 participating students on the nationally norm-referenced tests  
1562 or the statewide assessments administered ~~by the private school~~  
1563 in grades 3 through 10. The project term is 2 years, and the  
1564 amount of the project is up to \$250,000 per year. The project  
1565 grant award must be reissued in 2-year intervals in accordance  
1566 with this paragraph.

1567 1. The state university must annually report to the  
1568 Department of Education on the student performance of  
1569 participating students and, beginning with the 2027-2028 school  
1570 year, on the performance of personalized education students:

1571 a. On a statewide basis. The report shall also include, to  
1572 the extent possible, a comparison of scholarship students'  
1573 performance to the statewide student performance of public  
1574 school students with socioeconomic backgrounds similar to those  
1575 of students participating in the scholarship program. To

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1576 minimize costs and reduce time required for the state  
 1577 university's analysis and evaluation, the Department of  
 1578 Education shall coordinate with the state university to provide  
 1579 data to the state university in order to conduct analyses of  
 1580 matched students from public school assessment data and  
 1581 calculate control group student performance using an agreed-upon  
 1582 methodology with the state university; and

1583       b. On an individual school basis for students enrolled  
 1584 full time in a private school. The annual report must include  
 1585 student performance for each participating private school in  
 1586 which ~~at least 51 percent of the total~~ enrolled students in the  
 1587 private school participated in a scholarship program under this  
 1588 section, s. 1002.394(12)(a), or s. 1002.40 ~~the Florida Tax~~  
 1589 ~~Credit Scholarship Program~~ in the prior school year. The report  
 1590 shall be according to each participating private school, and for  
 1591 participating students, in which there are at least 30  
 1592 participating students who have scores for tests administered.  
 1593 If the state university determines that the 30-participating-  
 1594 student cell size may be reduced without disclosing personally  
 1595 identifiable information, as described in 34 C.F.R. s. 99.12, of  
 1596 a participating student, the state university may reduce the  
 1597 participating-student cell size, but the cell size must not be  
 1598 reduced to less than 10 participating students. The department  
 1599 shall provide each private school's prior school year's student  
 1600 enrollment information to the state university no later than



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1601 June 15 of each year, or as requested by the state university.

1602 2. The sharing and reporting of student performance data  
 1603 under this paragraph must be in accordance with requirements of  
 1604 ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g, the Family  
 1605 Educational Rights and Privacy Act, and the applicable rules and  
 1606 regulations issued pursuant thereto, and shall be for the sole  
 1607 purpose of creating the annual report required by subparagraph  
 1608 1. All parties must preserve the confidentiality of such  
 1609 information as required by law. The annual report must not  
 1610 disaggregate data to a level that will identify individual  
 1611 participating schools, except as required under sub-subparagraph  
 1612 1.b., or disclose the academic level of individual students.

1613 3. The annual report required by subparagraph 1. shall be  
 1614 published by the Department of Education on its website.

1615 (j) Provide a process to match the direct certification  
 1616 list with the scholarship application data submitted by any  
 1617 nonprofit scholarship-funding organization eligible to receive  
 1618 the 3-percent administrative allowance under paragraph (6) (1)  
 1619 ~~(6) (j)~~.

1620 (k) Notify each school district of the full-time  
 1621 equivalent student consensus estimate of scholarship students  
 1622 developed pursuant to s. 216.136(4) (a).

1623 (11) SCHOLARSHIP AMOUNT AND PAYMENT.—

1624 (b) Payment of the scholarship by the eligible nonprofit  
 1625 scholarship-funding organization shall be ~~by individual warrant~~

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1626 ~~made payable to the student's parent or~~ by funds transfer,  
1627 including, but not limited to, debit cards, electronic payment  
1628 cards, or any other means of payment that the department deems  
1629 to be commercially viable or cost-effective. ~~If the payment is~~  
1630 ~~made by warrant, the warrant must be delivered by the eligible~~  
1631 ~~nonprofit scholarship-funding organization to the private school~~  
1632 ~~of the parent's choice, and the parent shall restrictively~~  
1633 ~~endorse the warrant to the private school.~~ An eligible nonprofit  
1634 scholarship-funding organization shall ensure ~~that the parent to~~  
1635 ~~whom the warrant is made restrictively endorsed the warrant to~~  
1636 ~~the private school for deposit into the account of the private~~  
1637 ~~school or~~ that the parent has approved a funds transfer before  
1638 any scholarship funds are deposited.

1639 (e) An eligible nonprofit scholarship-funding organization  
1640 may not transfer any funds to an account of a student determined  
1641 eligible under this section which has a balance in excess of  
1642 \$24,000.

1643 (f) A scholarship awarded to an eligible student shall  
1644 remain in force until:

1645 1. The organization determines that the student is not  
1646 eligible for program renewal;

1647 2. The Commissioner of Education suspends or revokes  
1648 program participation or use of funds;

1649 3. The student's parent has forfeited participation in the  
1650 program for failure to comply with subsection (7);

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1651           4. The student enrolls in a public school. However, if a  
 1652 student enters a Department of Juvenile Justice detention center  
 1653 for a period of no more than 21 days, the student is not  
 1654 considered to have returned to a public school on a full-time  
 1655 basis for that purpose; or

1656           5. The student graduates from high school or attains 21  
 1657 years of age, whichever occurs first.

1658           (g) Reimbursements for program expenditures may continue  
 1659 until the account balance is expended or remaining funds have  
 1660 reverted to the state.

1661           (h) A student's scholarship account must be closed and any  
 1662 remaining funds shall revert to the state after:

1663           1. Denial or revocation of program eligibility by the  
 1664 commissioner for fraud or abuse, including, but not limited to,  
 1665 the student or student's parent accepting any payment, refund,  
 1666 or rebate, in any manner, from a provider of any services  
 1667 received pursuant to paragraph (6)(d); or

1668           2. Two consecutive fiscal years in which an account has  
 1669 been inactive.

1670           (15) NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS;  
 1671 APPLICATION.—In order to participate in the scholarship program  
 1672 created under this section, a charitable organization that seeks  
 1673 to be a nonprofit scholarship-funding organization must submit  
 1674 an application for initial approval or renewal to the Office of  
 1675 Independent Education and Parental Choice. The office shall

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1676 | provide at least two application periods in which charitable  
 1677 | organizations may apply to participate in the program ~~no later~~  
 1678 | ~~than September 1 of each year before the school year for which~~  
 1679 | ~~the organization intends to offer scholarships.~~

1680 | (a) An application for initial approval must include:

1681 | 1. A copy of the organization's incorporation documents  
 1682 | and registration with the Division of Corporations of the  
 1683 | Department of State.

1684 | 2. A copy of the organization's Internal Revenue Service  
 1685 | determination letter as a s. 501(c)(3) not-for-profit  
 1686 | organization.

1687 | 3. A description of the organization's financial plan that  
 1688 | demonstrates sufficient funds to operate throughout the school  
 1689 | year.

1690 | 4. A description of the geographic region that the  
 1691 | organization intends to serve and an analysis of the demand and  
 1692 | unmet need for eligible students in that area.

1693 | 5. The organization's organizational chart.

1694 | 6. A description of the criteria and methodology that the  
 1695 | organization will use to evaluate scholarship eligibility.

1696 | 7. A description of the application process, including  
 1697 | deadlines and any associated fees.

1698 | 8. A description of the deadlines for attendance  
 1699 | verification and scholarship payments.

1700 | 9. A copy of the organization's policies on conflict of

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1701 interest and whistleblowers.

1702 10. A copy of a surety bond or letter of credit to secure  
 1703 the faithful performance of the obligations of the eligible  
 1704 nonprofit scholarship-funding organization in accordance with  
 1705 this section in an amount equal to 25 percent of the scholarship  
 1706 funds anticipated for each school year or \$100,000, whichever is  
 1707 greater. The surety bond or letter of credit must specify that  
 1708 any claim against the bond or letter of credit may be made only  
 1709 by an eligible nonprofit scholarship-funding organization to  
 1710 provide scholarships to and on behalf of students who would have  
 1711 had scholarships funded if it were not for the diversion of  
 1712 funds giving rise to the claim against the bond or letter of  
 1713 credit.

1714 (b) In addition to the information required by  
 1715 subparagraphs (a)1.-9., an application for renewal must include:

1716 1. A surety bond or letter of credit to secure the  
 1717 faithful performance of the obligations of the eligible  
 1718 nonprofit scholarship-funding organization in accordance with  
 1719 this section equal to the amount of undisbursed donations held  
 1720 by the organization based on the annual report submitted  
 1721 pursuant to paragraph (6) (o) ~~(6) (m)~~. The amount of the surety  
 1722 bond or letter of credit must be at least \$100,000, but not more  
 1723 than \$25 million. The surety bond or letter of credit must  
 1724 specify that any claim against the bond or letter of credit may  
 1725 be made only by an eligible nonprofit scholarship-funding

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1726 organization to provide scholarships to and on behalf of  
 1727 students who would have had scholarships funded if it were not  
 1728 for the diversion of funds giving rise to the claim against the  
 1729 bond or letter of credit.

1730 2. The organization's completed Internal Revenue Service  
 1731 Form 990 submitted no later than November 30 of the year before  
 1732 the school year that the organization intends to offer the  
 1733 scholarships, notwithstanding the department's ~~September 1~~  
 1734 application deadline.

1735 3. A copy of the statutorily required audit to the  
 1736 Department of Education and Auditor General.

1737 4. An annual report that includes:

1738 a. The number of students who completed applications, by  
 1739 county and by grade.

1740 b. The number of students who were approved for  
 1741 scholarships, by county and by grade.

1742 c. The number of students who received funding for  
 1743 scholarships within each funding category, by county and by  
 1744 grade.

1745 d. The amount of funds received, the amount of funds  
 1746 distributed in scholarships, and an accounting of remaining  
 1747 funds and the obligation of those funds.

1748 e. A detailed accounting of how the organization spent the  
 1749 administrative funds allowable under paragraph (6) (l) ~~(6) (j)~~.

1750 (c) In consultation with the Department of Revenue and the

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1751 Chief Financial Officer, the Office of Independent Education and  
 1752 Parental Choice shall review the application. The Department of  
 1753 Education shall notify the organization in writing of any  
 1754 deficiencies within 30 days after receipt of the application and  
 1755 allow the organization 30 days to correct any deficiencies.

1756 (d) Within 30 days after receipt of the finalized  
 1757 application by the Office of Independent Education and Parental  
 1758 Choice, the Commissioner of Education shall recommend approval  
 1759 or disapproval of the application to the State Board of  
 1760 Education. The State Board of Education shall consider the  
 1761 application and recommendation at the next scheduled meeting,  
 1762 adhering to appropriate meeting notice requirements. If the  
 1763 State Board of Education disapproves the organization's  
 1764 application, it shall provide the organization with a written  
 1765 explanation of that determination. The State Board of  
 1766 Education's action is not subject to chapter 120.

1767 (e) If the State Board of Education disapproves the  
 1768 renewal of a nonprofit scholarship-funding organization, the  
 1769 organization must notify the affected eligible students and  
 1770 parents of the decision within 15 days after disapproval. An  
 1771 eligible student affected by the disapproval of an  
 1772 organization's participation remains eligible under this section  
 1773 until the end of the school year in which the organization was  
 1774 disapproved. The student must apply and be accepted by another  
 1775 eligible nonprofit scholarship-funding organization for the

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1776 | upcoming school year. The student shall be given priority in  
 1777 | accordance with paragraph (6)(g) ~~(6)(f)~~.

1778 |         (f) All remaining funds held by a nonprofit scholarship-  
 1779 | funding organization that is disapproved for participation must  
 1780 | be transferred to other eligible nonprofit scholarship-funding  
 1781 | organizations to provide scholarships for eligible students. All  
 1782 | transferred funds must be deposited by each eligible nonprofit  
 1783 | scholarship-funding organization receiving such funds into its  
 1784 | scholarship account. All transferred amounts received by any  
 1785 | eligible nonprofit scholarship-funding organization must be  
 1786 | separately disclosed in the annual financial audit required  
 1787 | under subsection (6).

1788 |         (g) A nonprofit scholarship-funding organization is a  
 1789 | renewing organization if it maintains continuous approval and  
 1790 | participation in the program. An organization that chooses not  
 1791 | to participate for 1 year or more or is disapproved to  
 1792 | participate for 1 year or more must submit an application for  
 1793 | initial approval in order to participate in the program again.

1794 |         (h) The State Board of Education shall adopt rules  
 1795 | providing guidelines for receiving, reviewing, and approving  
 1796 | applications for new and renewing nonprofit scholarship-funding  
 1797 | organizations. The rules must include a process for compiling  
 1798 | input and recommendations from the Chief Financial Officer, the  
 1799 | Department of Revenue, and the Department of Education. The  
 1800 | rules must also require that the nonprofit scholarship-funding



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1801 organization make a brief presentation to assist the State Board  
 1802 of Education in its decision.

1803 (i) A state university; or an independent college or  
 1804 university which is eligible to participate in the William L.  
 1805 Boyd, IV, Effective Access to Student Education Grant Program,  
 1806 located and chartered in this state, is not for profit, and is  
 1807 accredited by the Commission on Colleges of the Southern  
 1808 Association of Colleges and Schools, is exempt from the initial  
 1809 or renewal application process, but must file a registration  
 1810 notice with the Department of Education to be an eligible  
 1811 nonprofit scholarship-funding organization. The State Board of  
 1812 Education shall adopt rules that identify the procedure for  
 1813 filing the registration notice with the department. The rules  
 1814 must identify appropriate reporting requirements for fiscal,  
 1815 programmatic, and performance accountability purposes consistent  
 1816 with this section, but shall not exceed the requirements for  
 1817 eligible nonprofit scholarship-funding organizations for  
 1818 charitable organizations.

1819 Section 7. Paragraphs (e) and (f) of subsection (2) and  
 1820 paragraphs (g) and (i) of subsection (11) of section 1002.40,  
 1821 Florida Statutes, are amended to read:

1822 1002.40 The Hope Scholarship Program.—

1823 (2) DEFINITIONS.—As used in this section, the term:

1824 (e) "Eligible nonprofit scholarship-funding organization"  
 1825 or "organization" has the same meaning as provided in s.

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1826 | 1002.395(2) ~~s. 1002.395(2)(f)~~.

1827 | (f) "Eligible private school" has the same meaning as  
 1828 | provided in s. 1002.395(2) ~~s. 1002.395(2)(g)~~.

1829 | (11) FUNDING AND PAYMENT.—

1830 | (g) An eligible nonprofit scholarship-funding  
 1831 | organization, subject to the limitations of s. 1002.395(6)(1)1.  
 1832 | ~~s. 1002.395(6)(j)1.~~, may use eligible contributions received  
 1833 | during the state fiscal year in which such contributions are  
 1834 | collected for administrative expenses.

1835 | (i) Notwithstanding s. 1002.395(6)(1)2. ~~s. 1002.395(6)~~  
 1836 | ~~(j)2.~~, no more than 5 percent of net eligible contributions may  
 1837 | be carried forward to the following state fiscal year by an  
 1838 | eligible scholarship-funding organization. For audit purposes,  
 1839 | all amounts carried forward must be specifically identified for  
 1840 | individual students by student name and by the name of the  
 1841 | school to which the student is admitted, subject to the  
 1842 | requirements of ss. 1002.21 and 1002.22 and 20 U.S.C. s. 1232g,  
 1843 | and the applicable rules and regulations issued pursuant to such  
 1844 | requirements. Any amounts carried forward shall be expended for  
 1845 | annual scholarships or partial-year scholarships in the  
 1846 | following state fiscal year. Net eligible contributions  
 1847 | remaining on June 30 of each year which are in excess of the 5  
 1848 | percent that may be carried forward shall be transferred to  
 1849 | other eligible nonprofit scholarship-funding organizations  
 1850 | participating in the Hope Scholarship Program to provide

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1851 scholarships for eligible students. All transferred funds must  
 1852 be deposited by each eligible nonprofit scholarship-funding  
 1853 organization receiving such funds into the scholarship account  
 1854 of eligible students. All transferred amounts received by an  
 1855 eligible nonprofit scholarship-funding organization must be  
 1856 separately disclosed in the annual financial audit requirement  
 1857 under s. 1002.395(6)(o) ~~s. 1002.395(6)(m)~~. If no other eligible  
 1858 nonprofit scholarship-funding organization participates in the  
 1859 Hope Scholarship Program, net eligible contributions in excess  
 1860 of the 5 percent may be used to fund scholarships for students  
 1861 eligible under s. 1002.395 only after fully exhausting all  
 1862 contributions made in support of scholarships under that section  
 1863 in accordance with the priority established in s. 1002.395(6)(f)  
 1864 before ~~s. 1002.395(6)(e)~~ ~~prior to~~ awarding any initial  
 1865 scholarships.

1866 Section 8. Subsection (1) and paragraph (c) of subsection  
 1867 (3) of section 1002.421, Florida Statutes, are amended to read:  
 1868 1002.421 State school choice scholarship program  
 1869 accountability and oversight.—

1870 (1) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—A private  
 1871 school participating in an educational scholarship program  
 1872 established pursuant to this chapter must be a private school as  
 1873 defined in s. 1002.01 ~~s. 1002.01(2)~~ in this state, be  
 1874 registered, and be in compliance with all requirements of this  
 1875 section in addition to private school requirements outlined in

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1876 s. 1002.42, specific requirements identified within respective  
 1877 scholarship program laws, and other provisions of Florida law  
 1878 that apply to private schools, and must:

1879 (a) Comply with the antidiscrimination provisions of 42  
 1880 U.S.C. s. 2000d.

1881 (b) Notify the department of its intent to participate in  
 1882 a scholarship program.

1883 (c) Notify the department of any change in the school's  
 1884 name, school director, mailing address, or physical location  
 1885 within 15 days after the change.

1886 (d) Provide to the department or scholarship-funding  
 1887 organization all documentation required for a student's  
 1888 participation, including the private school's and student's  
 1889 individual fee schedule, and attendance verification as required  
 1890 by the department or scholarship-funding organization, prior to  
 1891 scholarship payment.

1892 (e) Annually complete and submit to the department a  
 1893 notarized scholarship compliance statement certifying that all  
 1894 school employees and contracted personnel with direct student  
 1895 contact have undergone background screening pursuant to s.  
 1896 435.12 and have met the screening standards as provided in s.  
 1897 435.04.

1898 (f) Demonstrate fiscal soundness and accountability by:

1899 1. Being in operation for at least 3 school years or  
 1900 obtaining a surety bond or letter of credit for the amount equal

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1901 to the scholarship funds for any quarter and filing the surety  
 1902 bond or letter of credit with the department.

1903 2. Requiring the parent of each scholarship student to  
 1904 personally restrictively endorse the scholarship warrant to the  
 1905 school or to approve a funds transfer before any funds are  
 1906 deposited for a student. The school may not act as attorney in  
 1907 fact for the parent of a scholarship student under the authority  
 1908 of a power of attorney executed by such parent, or under any  
 1909 other authority, to endorse a scholarship warrant or approve a  
 1910 funds transfer on behalf of such parent.

1911 (g) Meet applicable state and local health, safety, and  
 1912 welfare laws, codes, and rules, including:

- 1913 1. Firesafety.
- 1914 2. Building safety.

1915 (h) Employ or contract with teachers who hold  
 1916 baccalaureate or higher degrees, have at least 3 years of  
 1917 teaching experience in public or private schools, or have  
 1918 special skills, knowledge, or expertise that qualifies them to  
 1919 provide instruction in subjects taught.

1920 (i) Maintain a physical location in the state at which  
 1921 each student has regular and direct contact with teachers.

1922 (j) Publish on the school's website, or provide in a  
 1923 written format, information for parents regarding the school,  
 1924 including, but not limited to, programs, services, ~~and~~ the  
 1925 qualifications of classroom teachers, and a statement that a

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1926 | parentally placed private school student with a disability does  
 1927 | not have an individual right to receive some or all of the  
 1928 | special education and related services that the student would  
 1929 | receive if enrolled in a public school under the Individuals  
 1930 | with Disabilities Education Act (IDEA), as amended.

1931 | (k) At a minimum, provide the parent of each scholarship  
 1932 | student with a written explanation of the student's progress on  
 1933 | a quarterly basis.

1934 | (l) Cooperate with a student whose parent chooses to  
 1935 | participate in the statewide assessments pursuant to s. 1008.22.

1936 | (m) Require each employee and contracted personnel with  
 1937 | direct student contact, upon employment or engagement to provide  
 1938 | services, to undergo a state and national background screening,  
 1939 | pursuant to s. 943.0542, by electronically filing with the  
 1940 | Department of Law Enforcement a complete set of fingerprints  
 1941 | taken by an authorized law enforcement agency or an employee of  
 1942 | the private school, a school district, or a private company who  
 1943 | is trained to take fingerprints and deny employment to or  
 1944 | terminate an employee if he or she fails to meet the screening  
 1945 | standards under s. 435.04. Results of the screening shall be  
 1946 | provided to the participating private school. For purposes of  
 1947 | this paragraph:

1948 | 1. An "employee or contracted personnel with direct  
 1949 | student contact" means any employee or contracted personnel who  
 1950 | has unsupervised access to a scholarship student for whom the

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1951 private school is responsible.

1952 2. The costs of fingerprinting and the background check  
1953 shall not be borne by the state.

1954 3. Continued employment of an employee or contracted  
1955 personnel after notification that he or she has failed the  
1956 background screening under this paragraph shall cause a private  
1957 school to be ineligible for participation in a scholarship  
1958 program.

1959 4. An employee or contracted personnel holding a valid  
1960 Florida teaching certificate who has been fingerprinted pursuant  
1961 to s. 1012.32 is not required to comply with the provisions of  
1962 this paragraph.

1963 5. All fingerprints submitted to the Department of Law  
1964 Enforcement as required by this section shall be retained by the  
1965 Department of Law Enforcement in a manner provided by rule and  
1966 entered in the statewide automated biometric identification  
1967 system authorized by s. 943.05(2)(b). Such fingerprints shall  
1968 thereafter be available for all purposes and uses authorized for  
1969 arrest fingerprints entered in the statewide automated biometric  
1970 identification system pursuant to s. 943.051.

1971 6. The Department of Law Enforcement shall search all  
1972 arrest fingerprints received under s. 943.051 against the  
1973 fingerprints retained in the statewide automated biometric  
1974 identification system under subparagraph 5. Any arrest record  
1975 that is identified with the retained fingerprints of a person

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1976 | subject to the background screening under this section shall be  
 1977 | reported to the employing school with which the person is  
 1978 | affiliated. Each private school participating in a scholarship  
 1979 | program is required to participate in this search process by  
 1980 | informing the Department of Law Enforcement of any change in the  
 1981 | employment or contractual status of its personnel whose  
 1982 | fingerprints are retained under subparagraph 5. The Department  
 1983 | of Law Enforcement shall adopt a rule setting the amount of the  
 1984 | annual fee to be imposed upon each private school for performing  
 1985 | these searches and establishing the procedures for the retention  
 1986 | of private school employee and contracted personnel fingerprints  
 1987 | and the dissemination of search results. The fee may be borne by  
 1988 | the private school or the person fingerprinted.

1989 |         7. Employees and contracted personnel whose fingerprints  
 1990 | are not retained by the Department of Law Enforcement under  
 1991 | subparagraphs 5. and 6. are required to be refingerprinted and  
 1992 | must meet state and national background screening requirements  
 1993 | upon reemployment or reengagement to provide services in order  
 1994 | to comply with the requirements of this section.

1995 |         8. Every 5 years following employment or engagement to  
 1996 | provide services with a private school, employees or contracted  
 1997 | personnel required to be screened under this section must meet  
 1998 | screening standards under s. 435.04, at which time the private  
 1999 | school shall request the Department of Law Enforcement to  
 2000 | forward the fingerprints to the Federal Bureau of Investigation



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2001 for national processing. If the fingerprints of employees or  
 2002 contracted personnel are not retained by the Department of Law  
 2003 Enforcement under subparagraph 5., employees and contracted  
 2004 personnel must electronically file a complete set of  
 2005 fingerprints with the Department of Law Enforcement. Upon  
 2006 submission of fingerprints for this purpose, the private school  
 2007 shall request that the Department of Law Enforcement forward the  
 2008 fingerprints to the Federal Bureau of Investigation for national  
 2009 processing, and the fingerprints shall be retained by the  
 2010 Department of Law Enforcement under subparagraph 5.

2011 (n) Adopt policies establishing standards of ethical  
 2012 conduct for educational support employees, instructional  
 2013 personnel, and school administrators. The policies must require  
 2014 all educational support employees, instructional personnel, and  
 2015 school administrators, as defined in s. 1012.01, to complete  
 2016 training on the standards; establish the duty of educational  
 2017 support employees, instructional personnel, and school  
 2018 administrators to report, and procedures for reporting, alleged  
 2019 misconduct by other educational support employees, instructional  
 2020 personnel, and school administrators which affects the health,  
 2021 safety, or welfare of a student; and include an explanation of  
 2022 the liability protections provided under ss. 39.203 and 768.095.  
 2023 A private school, or any of its employees, may not enter into a  
 2024 confidentiality agreement regarding terminated or dismissed  
 2025 educational support employees, instructional personnel, or

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2026 school administrators, or employees, personnel, or  
 2027 administrators who resign in lieu of termination, based in whole  
 2028 or in part on misconduct that affects the health, safety, or  
 2029 welfare of a student, and may not provide the employees,  
 2030 personnel, or administrators with employment references or  
 2031 discuss the employees', personnel's, or administrators'  
 2032 performance with prospective employers in another educational  
 2033 setting, without disclosing the employees', personnel's, or  
 2034 administrators' misconduct. Any part of an agreement or contract  
 2035 that has the purpose or effect of concealing misconduct by  
 2036 educational support employees, instructional personnel, or  
 2037 school administrators which affects the health, safety, or  
 2038 welfare of a student is void, is contrary to public policy, and  
 2039 may not be enforced.

2040 (o) Before employing a person in any position that  
 2041 requires direct contact with students, conduct employment  
 2042 history checks of previous employers, screen the person through  
 2043 use of the screening tools described in s. 1001.10(5), and  
 2044 document the findings. If unable to contact a previous employer,  
 2045 the private school must document efforts to contact the  
 2046 employer. The private school may not employ a person whose  
 2047 educator certificate is revoked, who is barred from reapplying  
 2048 for an educator certificate, or who is on the disqualification  
 2049 list maintained by the department pursuant to s. 1001.10(4)(b).

2050 (p) Require each owner or operator of the private school,

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2051 prior to employment or engagement to provide services, to  
 2052 undergo level 2 background screening as provided under chapter  
 2053 435. For purposes of this paragraph, the term "owner or  
 2054 operator" means an owner, operator, superintendent, or principal  
 2055 of, or a person with equivalent decisionmaking authority over, a  
 2056 private school participating in a scholarship program  
 2057 established pursuant to this chapter. The fingerprints for the  
 2058 background screening must be electronically submitted to the  
 2059 Department of Law Enforcement and may be taken by an authorized  
 2060 law enforcement agency or a private company who is trained to  
 2061 take fingerprints. However, the complete set of fingerprints of  
 2062 an owner or operator may not be taken by the owner or operator.  
 2063 The owner or operator shall provide a copy of the results of the  
 2064 state and national criminal history check to the Department of  
 2065 Education. The cost of the background screening may be borne by  
 2066 the owner or operator.

2067 1. Every 5 years following employment or engagement to  
 2068 provide services, each owner or operator must meet level 2  
 2069 screening standards as described in s. 435.04, at which time the  
 2070 owner or operator shall request the Department of Law  
 2071 Enforcement to forward the fingerprints to the Federal Bureau of  
 2072 Investigation for level 2 screening. If the fingerprints of an  
 2073 owner or operator are not retained by the Department of Law  
 2074 Enforcement under subparagraph 2., the owner or operator must  
 2075 electronically file a complete set of fingerprints with the

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2076 Department of Law Enforcement. Upon submission of fingerprints  
 2077 for this purpose, the owner or operator shall request that the  
 2078 Department of Law Enforcement forward the fingerprints to the  
 2079 Federal Bureau of Investigation for level 2 screening, and the  
 2080 fingerprints shall be retained by the Department of Law  
 2081 Enforcement under subparagraph 2.

2082         2. Fingerprints submitted to the Department of Law  
 2083 Enforcement as required by this paragraph must be retained by  
 2084 the Department of Law Enforcement in a manner approved by rule  
 2085 and entered in the statewide automated biometric identification  
 2086 system authorized by s. 943.05(2)(b). The fingerprints must  
 2087 thereafter be available for all purposes and uses authorized for  
 2088 arrest fingerprints entered in the statewide automated biometric  
 2089 identification system pursuant to s. 943.051.

2090         3. The Department of Law Enforcement shall search all  
 2091 arrest fingerprints received under s. 943.051 against the  
 2092 fingerprints retained in the statewide automated biometric  
 2093 identification system under subparagraph 2. Any arrest record  
 2094 that is identified with an owner's or operator's fingerprints  
 2095 must be reported to the owner or operator, who must report to  
 2096 the Department of Education. Any costs associated with the  
 2097 search shall be borne by the owner or operator.

2098         4. An owner or operator who fails the level 2 background  
 2099 screening is not eligible to participate in a scholarship  
 2100 program under this chapter.

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2101           5. In addition to the offenses listed in s. 435.04, a  
 2102 person required to undergo background screening pursuant to this  
 2103 part or authorizing statutes may not have an arrest awaiting  
 2104 final disposition for, must not have been found guilty of, or  
 2105 entered a plea of nolo contendere to, regardless of  
 2106 adjudication, and must not have been adjudicated delinquent for,  
 2107 and the record must not have been sealed or expunged for, any of  
 2108 the following offenses or any similar offense of another  
 2109 jurisdiction:

2110           a. Any authorizing statutes, if the offense was a felony.  
 2111           b. This chapter, if the offense was a felony.  
 2112           c. Section 409.920, relating to Medicaid provider fraud.  
 2113           d. Section 409.9201, relating to Medicaid fraud.  
 2114           e. Section 741.28, relating to domestic violence.  
 2115           f. Section 817.034, relating to fraudulent acts through  
 2116 mail, wire, radio, electromagnetic, photoelectronic, or  
 2117 photooptical systems.  
 2118           g. Section 817.234, relating to false and fraudulent  
 2119 insurance claims.  
 2120           h. Section 817.505, relating to patient brokering.  
 2121           i. Section 817.568, relating to criminal use of personal  
 2122 identification information.  
 2123           j. Section 817.60, relating to obtaining a credit card  
 2124 through fraudulent means.  
 2125           k. Section 817.61, relating to fraudulent use of credit

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2126 | cards, if the offense was a felony.

2127 |       1. Section 831.01, relating to forgery.

2128 |       m. Section 831.02, relating to uttering forged

2129 | instruments.

2130 |       n. Section 831.07, relating to forging bank bills, checks,

2131 | drafts, or promissory notes.

2132 |       o. Section 831.09, relating to uttering forged bank bills,

2133 | checks, drafts, or promissory notes.

2134 |       p. Section 831.30, relating to fraud in obtaining

2135 | medicinal drugs.

2136 |       q. Section 831.31, relating to the sale, manufacture,

2137 | delivery, or possession with the intent to sell, manufacture, or

2138 | deliver any counterfeit controlled substance, if the offense was

2139 | a felony.

2140 |       6. At least 30 calendar days before a transfer of

2141 | ownership of a private school, the owner or operator shall

2142 | notify the parent of each scholarship student.

2143 |       7. The owner or operator of a private school that has been

2144 | deemed ineligible to participate in a scholarship program

2145 | pursuant to this chapter may not transfer ownership or

2146 | management authority of the school to a relative in order to

2147 | participate in a scholarship program as the same school or a new

2148 | school. For purposes of this subparagraph, the term "relative"

2149 | means father, mother, son, daughter, grandfather, grandmother,

2150 | brother, sister, uncle, aunt, cousin, nephew, niece, husband,

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2151 wife, father-in-law, mother-in-law, son-in-law, daughter-in-law,  
 2152 brother-in-law, sister-in-law, stepfather, stepmother, stepson,  
 2153 stepdaughter, stepbrother, stepsister, half-brother, or half-  
 2154 sister.

2155 (q) Provide a report from an independent certified public  
 2156 accountant who performs the agreed-upon procedures developed  
 2157 pursuant to s. 1002.395(6)(q) ~~s. 1002.395(6)(e)~~ if the private  
 2158 school receives more than \$250,000 in funds from scholarships  
 2159 awarded under this chapter in a state fiscal year. A private  
 2160 school subject to this subsection must annually submit the  
 2161 report by September 15 to the scholarship-funding organization  
 2162 that awarded the majority of the school's scholarship funds.  
 2163 However, a school that receives more than \$250,000 in  
 2164 scholarship funds only through the John M. McKay Scholarship for  
 2165 Students with Disabilities Program pursuant to s. 1002.39 must  
 2166 submit the annual report by September 15 to the department. The  
 2167 agreed-upon procedures must be conducted in accordance with  
 2168 attestation standards established by the American Institute of  
 2169 Certified Public Accountants.

2170 (r) Prohibit education support employees, instructional  
 2171 personnel, and school administrators from employment in any  
 2172 position that requires direct contact with students if the  
 2173 personnel or administrators are ineligible for such employment  
 2174 pursuant to this section or s. 1012.315, or have been terminated  
 2175 or have resigned in lieu of termination for sexual misconduct

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2176 with a student. If the prohibited conduct occurs subsequent to  
 2177 employment, the private school must report the person and the  
 2178 disqualifying circumstances to the department for inclusion on  
 2179 the disqualification list maintained pursuant to s.  
 2180 1001.10(4)(b).

2181  
 2182 The department shall suspend the payment of funds to a private  
 2183 school that knowingly fails to comply with this subsection, and  
 2184 shall prohibit the school from enrolling new scholarship  
 2185 students, for 1 fiscal year and until the school complies. If a  
 2186 private school fails to meet the requirements of this subsection  
 2187 or has consecutive years of material exceptions listed in the  
 2188 report required under paragraph (q), the commissioner may  
 2189 determine that the private school is ineligible to participate  
 2190 in a scholarship program.

2191 (3) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—  
 2192 The Commissioner of Education:

2193 (c) May permanently deny or revoke the authority of an  
 2194 owner, officer, or director ~~or operator~~ to establish or operate  
 2195 a private school in the state and include such individual on the  
 2196 disqualification list maintained by the department pursuant to  
 2197 s. 1001.10(4)(b) if the commissioner decides that the owner,  
 2198 officer, or director: ~~or operator~~

2199 1. Is operating or has operated an educational institution  
 2200 in the state or another state or jurisdiction in a manner



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2201 | contrary to the health, safety, or welfare of the public; or  
 2202 | 2. Has operated an educational institution that closed  
 2203 | during the school year. An individual may be removed from the  
 2204 | disqualification list if the individual reimburses the  
 2205 | department or eligible nonprofit scholarship-funding  
 2206 | organization the amount of scholarship funds received by the  
 2207 | educational institution during the school year in which it  
 2208 | closed, ~~and shall include such individuals on the~~  
 2209 | ~~disqualification list maintained by the department pursuant to~~  
 2210 | ~~s. 1001.10(4)(b).~~

2211 | Section 9. Section 1002.44, Florida Statutes, is created  
 2212 | to read:

2213 | 1002.44 Part-time public school enrollment.—

2214 | (1) Any public school in this state, including a charter  
 2215 | school, may enroll a student who meets the regular school  
 2216 | attendance criteria in s. 1003.01(13)(b)-(f) on a part-time  
 2217 | basis, subject to space and availability according to the  
 2218 | school's capacity determined pursuant to s. 1002.31(2)(b).

2219 | (2) A student attending a public school on a part-time  
 2220 | basis pursuant to this section shall generate full-time  
 2221 | equivalent student membership as described in s. 1011.61(1)(b).  
 2222 | A student receiving a scholarship under this chapter who attends  
 2223 | a public school on a part-time basis through contracted services  
 2224 | provided by the public school or school district may not be  
 2225 | reported for funding.

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2226           (3) A student attending a public school on a part-time  
 2227 basis pursuant to this section is not considered to be in  
 2228 regular attendance at a public school as defined in s.  
 2229 1003.01(13)(a).

2230           Section 10. Paragraphs (d) and (e) of subsection (13) and  
 2231 subsection (14) of section 1003.01, Florida Statutes, are  
 2232 amended, and paragraph (f) is added to subsection (13) of that  
 2233 section, to read:

2234           1003.01 Definitions.—As used in this chapter, the term:

2235           (13) "Regular school attendance" means the actual  
 2236 attendance of a student during the school day as defined by law  
 2237 and rules of the State Board of Education. Regular attendance  
 2238 within the intent of s. 1003.21 may be achieved by attendance  
 2239 in:

2240           (d) A home education program that meets the requirements  
 2241 of chapter 1002; ~~or~~

2242           (e) A private tutoring program that meets the requirements  
 2243 of chapter 1002; or.

2244           (f) A personalized education program that meets the  
 2245 requirements of s. 1002.395.

2246           (14) "Core-curricula courses" means:

2247           (a) Courses in language arts/reading, mathematics, social  
 2248 studies, and science in prekindergarten through grade 3,  
 2249 excluding extracurricular courses pursuant to subsection (15);

2250           (b) Courses in grades 4 through 8 in subjects that are

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2251 measured by state assessment at any grade level and courses  
 2252 required for middle school promotion, excluding extracurricular  
 2253 courses pursuant to subsection (15);

2254 (c) Courses in grades 9 through 12 in subjects that are  
 2255 measured by state assessment at any grade level and courses that  
 2256 are specifically identified by name in statute as required for  
 2257 high school graduation and that are not measured by state  
 2258 assessment, excluding extracurricular courses pursuant to  
 2259 subsection (15);

2260 (d) Exceptional student education courses; and

2261 (e) English for Speakers of Other Languages courses.

2262

2263 The term is limited in meaning and used for the sole purpose of  
 2264 designating classes that are subject to the maximum class size  
 2265 requirements established in s. 1, Art. IX of the State  
 2266 Constitution. This term does not include courses offered under  
 2267 ss. 1002.321(3)(e), 1002.33(7)(a)2.b., 1002.37, 1002.45, and  
 2268 1003.499 ~~ss. 1002.321(4)(c), 1002.33(7)(a)2.b., 1002.37,~~  
 2269 ~~1002.45, and 1003.499.~~

2270 Section 11. No later than November 1, 2023, the State  
 2271 Board of Education shall develop and recommend to the Governor  
 2272 and Legislature for adoption during the 2024 legislative session  
 2273 repeals and revisions to the Florida Early Learning-20 Education  
 2274 Code, chapters 1000-1013, Florida Statutes, to reduce regulation  
 2275 of public schools. The state board shall review the entirety of

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2276 the Florida Early Learning-20 Education Code for potential  
 2277 repeals and revisions. The state board must make recommendations  
 2278 addressing repeals and revisions to the statutes governing the  
 2279 transportation of students. The state board shall consider input  
 2280 from teachers, superintendents, administrators, school boards,  
 2281 public and private postsecondary institutions, home educators,  
 2282 and other entities identified by the state board.

2283 Section 12. Subsection (10) is added to section 1001.10,  
 2284 Florida Statutes, to read:

2285 1001.10 Commissioner of Education; general powers and  
 2286 duties.-

2287 (10) Due to the range of school choice options and the  
 2288 variety of ways students learn, the commissioner shall develop  
 2289 an online portal that enables parents to choose the best  
 2290 educational options for their student. The portal, at a minimum,  
 2291 must:

2292 (a) Recommend educational options based on questions about  
 2293 the student, including the needs and interests of the student.

2294 (b) Advise parents on the recommended educational options  
 2295 for their student.

2296 (c) Enable schools to develop a school profile and connect  
 2297 directly with families who express interest in the school.

2298 (d) Allow parents to complete the school enrollment  
 2299 process.

2300 Section 13. Paragraph (c) of subsection (22) of section

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2301 1002.20, Florida Statutes, is amended to read:

2302 1002.20 K-12 student and parent rights.—Parents of public  
 2303 school students must receive accurate and timely information  
 2304 regarding their child's academic progress and must be informed  
 2305 of ways they can help their child to succeed in school. K-12  
 2306 students and their parents are afforded numerous statutory  
 2307 rights including, but not limited to, the following:

2308 (22) TRANSPORTATION.—

2309 (c) Parental consent.—Each parent of a public school  
 2310 student must be notified in writing and give written consent  
 2311 before the student may be transported in a privately owned motor  
 2312 vehicle to a school function, ~~in accordance with the provisions~~  
 2313 ~~of s. 1006.22(2)(b).~~

2314 Section 14. Subsection (2) of section 1003.25, Florida  
 2315 Statutes, is amended to read:

2316 1003.25 Procedures for maintenance and transfer of student  
 2317 records.—

2318 (2) The procedure for transferring and maintaining records  
 2319 of students who transfer from school to school shall be  
 2320 prescribed by rules of the State Board of Education. The  
 2321 transfer of records shall occur within 5 ~~3~~ school days. The  
 2322 records shall include:

2323 (a) Verified reports of serious or recurrent behavior  
 2324 patterns, including threat assessment evaluations and  
 2325 intervention services.

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2326 (b) Psychological evaluations, including therapeutic  
 2327 treatment plans and therapy or progress notes created or  
 2328 maintained by school district or charter school staff, as  
 2329 appropriate.

2330 Section 15. Subsection (4) of section 1003.4282, Florida  
 2331 Statutes, is amended to read:

2332 1003.4282 Requirements for a standard high school  
 2333 diploma.—

2334 ~~(4) ONLINE COURSE REQUIREMENT.—At least one course within~~  
 2335 ~~the 24 credits required under this section must be completed~~  
 2336 ~~through online learning.~~

2337 ~~(a) An online course taken in grade 6, grade 7, or grade 8~~  
 2338 ~~fulfills the requirements of this subsection. The requirement is~~  
 2339 ~~met through an online course offered by the Florida Virtual~~  
 2340 ~~School, a virtual education provider approved by the State Board~~  
 2341 ~~of Education, a high school, or an online dual enrollment~~  
 2342 ~~course. A student who is enrolled in a full-time or part-time~~  
 2343 ~~virtual instruction program under s. 1002.45 meets the~~  
 2344 ~~requirement.~~

2345 ~~(b) A district school board or a charter school governing~~  
 2346 ~~board, as applicable, may allow a student to satisfy the online~~  
 2347 ~~course requirements of this subsection by completing a blended~~  
 2348 ~~learning course or a course in which the student earns a~~  
 2349 ~~nationally recognized industry certification in information~~  
 2350 ~~technology that is identified on the CAPE Industry Certification~~

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2351 ~~Funding List pursuant to s. 1008.44 or passing the information~~  
 2352 ~~technology certification examination without enrolling in or~~  
 2353 ~~completing the corresponding course or courses, as applicable.~~

2354  
 2355 ~~For purposes of this subsection, a school district may not~~  
 2356 ~~require a student to take the online or blended learning course~~  
 2357 ~~outside the school day or in addition to a student's courses for~~  
 2358 ~~a given semester. This subsection does not apply to a student~~  
 2359 ~~who has an individual education plan under s. 1003.57 which~~  
 2360 ~~indicates that an online or blended learning course would be~~  
 2361 ~~inappropriate or to an out-of-state transfer student who is~~  
 2362 ~~enrolled in a Florida high school and has 1 academic year or~~  
 2363 ~~less remaining in high school.~~

2364 Section 16. Subsection (2) of section 1006.21, Florida  
 2365 Statutes, is amended to read:

2366 1006.21 Duties of district school superintendent and  
 2367 district school board regarding transportation.—

2368 (2) After considering recommendations of the district  
 2369 school superintendent, the district school board shall make  
 2370 provision for the transportation of students to the public  
 2371 schools or school activities they are required or expected to  
 2372 attend; authorize transportation routes arranged efficiently and  
 2373 economically; provide the necessary transportation facilities,  
 2374 and, when authorized under rules of the State Board of Education  
 2375 and if more economical to do so, provide limited subsistence in

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2376 lieu thereof; and adopt the necessary rules to ensure safety,  
 2377 economy, and efficiency in the operation of all buses and other  
 2378 vehicles used to transport students, as prescribed in this  
 2379 chapter.

2380 Section 17. Subsections (2) through (13) of section  
 2381 1006.22, Florida Statutes, are renumbered as subsections (1)  
 2382 through (12), respectively, and present subsections (1), (2),  
 2383 (11), and (13) of that section are amended to read:

2384 1006.22 Safety and health of students being transported.—  
 2385 Maximum regard for safety and adequate protection of health are  
 2386 primary requirements that must be observed by district school  
 2387 boards in routing buses, appointing drivers, and providing and  
 2388 operating equipment, in accordance with all requirements of law  
 2389 and rules of the State Board of Education in providing  
 2390 transportation pursuant to s. 1006.21:

2391 ~~(1)(a) District school boards shall use school buses, as~~  
 2392 ~~defined in s. 1006.25, for all regular transportation. Regular~~  
 2393 ~~transportation or regular use means transportation of students~~  
 2394 ~~to and from school or school-related activities that are part of~~  
 2395 ~~a scheduled series or sequence of events to the same location.~~  
 2396 ~~"Students" means, for the purposes of this section, students~~  
 2397 ~~enrolled in the public schools in prekindergarten disability~~  
 2398 ~~programs and in kindergarten through grade 12. District school~~  
 2399 ~~boards may regularly use motor vehicles other than school buses~~  
 2400 ~~only under the following conditions:~~



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2401 ~~1. When the transportation is for physically handicapped~~  
 2402 ~~or isolated students and the district school board has elected~~  
 2403 ~~to provide for the transportation of the student through written~~  
 2404 ~~or oral contracts or agreements.~~

2405 ~~2. When the transportation is a part of a comprehensive~~  
 2406 ~~contract for a specialized educational program between a~~  
 2407 ~~district school board and a service provider who provides~~  
 2408 ~~instruction, transportation, and other services.~~

2409 ~~3. When the transportation is provided through a public~~  
 2410 ~~transit system.~~

2411 ~~4. When the transportation is for trips to and from school~~  
 2412 ~~sites or agricultural education sites or for trips to and from~~  
 2413 ~~agricultural education-related events or competitions, but is~~  
 2414 ~~not for customary transportation between a student's residence~~  
 2415 ~~and such sites.~~

2416 ~~5. When the transportation is for trips to and from school~~  
 2417 ~~sites but is not for customary transportation between a~~  
 2418 ~~student's residence and such sites.~~

2419 ~~(b) When the transportation of students is provided, as~~  
 2420 ~~authorized in this subsection, in a vehicle other than a school~~  
 2421 ~~bus that is owned, operated, rented, contracted, or leased by a~~  
 2422 ~~school district or charter school, the following provisions~~  
 2423 ~~shall apply:~~

2424 ~~1. The vehicle must be designed to transport fewer than 10~~  
 2425 ~~students or be a multifunction school activity bus, as defined~~

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2426 ~~in 49 C.F.R. s. 571.3, if it is designed to transport more than~~  
 2427 ~~10 persons. Students must be transported in designated seating~~  
 2428 ~~positions and must use the occupant crash protection system~~  
 2429 ~~provided by the manufacturer unless the student's physical~~  
 2430 ~~condition prohibits such use.~~

2431 ~~2. An authorized vehicle may not be driven by a student on~~  
 2432 ~~a public right-of-way. An authorized vehicle may be driven by a~~  
 2433 ~~student on school or private property as part of the student's~~  
 2434 ~~educational curriculum if no other student is in the vehicle.~~

2435 ~~3. The driver of an authorized vehicle transporting~~  
 2436 ~~students must maintain a valid driver license and must comply~~  
 2437 ~~with the requirements of the school district's locally adopted~~  
 2438 ~~safe driver plan, which includes review of driving records for~~  
 2439 ~~disqualifying violations.~~

2440 ~~4. The district school board or charter school must adopt~~  
 2441 ~~a policy that addresses procedures and liability for trips under~~  
 2442 ~~this paragraph, including a provision that school buses are to~~  
 2443 ~~be used whenever practical and specifying consequences for~~  
 2444 ~~violation of the policy.~~

2445 ~~(1)-(2) Except as provided in subsection (1), District~~  
 2446 ~~school boards may authorize the transportation of students in~~  
 2447 ~~privately owned motor vehicles on a case-by-case basis only in~~  
 2448 ~~the following circumstances:~~

2449 ~~(a) When a student is ill or injured and must be taken~~  
 2450 ~~home or to a medical treatment facility under nonemergency~~

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2451 ~~circumstances; and~~

2452 ~~1. The school has been unable to contact the student's~~  
 2453 ~~parent or the parent or responsible adult designated by the~~  
 2454 ~~parent is not available to provide the transportation;~~

2455 ~~2. Proper adult supervision of the student is available at~~  
 2456 ~~the location to which the student is being transported;~~

2457 ~~3. The transportation is approved by the school principal,~~  
 2458 ~~or a school administrator designated by the principal to grant~~  
 2459 ~~or deny such approval, or in the absence of the principal and~~  
 2460 ~~designee, by the highest ranking school administrator or teacher~~  
 2461 ~~available under the circumstances; and~~

2462 ~~4. If the school has been unable to contact the parent~~  
 2463 ~~prior to the transportation, the school shall continue to seek~~  
 2464 ~~to contact the parent until the school is able to notify the~~  
 2465 ~~parent of the transportation and the pertinent circumstances.~~

2466 ~~(b) When the transportation is in connection with a school~~  
 2467 ~~function or event regarding which the district school board or~~  
 2468 ~~school has undertaken to participate or to sponsor or provide~~  
 2469 ~~the participation of students; and~~

2470 ~~1. The function or event is a single event that is not~~  
 2471 ~~part of a scheduled series or sequence of events to the same~~  
 2472 ~~location, such as, but not limited to, a field trip, a~~  
 2473 ~~recreational outing, an interscholastic competition or~~  
 2474 ~~cooperative event, an event connected with an extracurricular~~  
 2475 ~~activity offered by the school, or an event connected to an~~

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2476 ~~educational program, such as, but not limited to, a job~~  
 2477 ~~interview as part of a cooperative education program;~~  
 2478 ~~2. Transportation is not available, as a practical matter,~~  
 2479 ~~using a school bus or school district passenger car; and~~  
 2480 ~~3. Each student's parent is notified, in writing,~~  
 2481 ~~regarding the transportation arrangement and gives written~~  
 2482 ~~consent before a student is transported in a privately owned~~  
 2483 ~~motor vehicle.~~  
 2484 ~~(c) When a district school board requires employees such~~  
 2485 ~~as school social workers and attendance officers to use their~~  
 2486 ~~own motor vehicles to perform duties of employment, and such~~  
 2487 ~~duties include the occasional transportation of students.~~  
 2488 ~~(10)-(11)~~ The district school superintendent shall notify  
 2489 the district school board of any school bus or other vehicle  
 2490 used to transport students that does not meet all requirements  
 2491 of law and rules of the State Board of Education, and the  
 2492 district school board shall, if the school bus is in an unsafe  
 2493 condition, withdraw it from use as a school bus until the bus  
 2494 meets the requirements. The department may inspect or have  
 2495 inspected any school bus to determine whether the bus meets  
 2496 requirements of law and rules of the State Board of Education.  
 2497 The department may, after due notice to a district school board  
 2498 that any school bus does not meet certain requirements of law  
 2499 and rules of the State Board of Education, rule that the bus  
 2500 must be withdrawn from use as a school bus, this ruling to be

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2501 effective immediately or upon a date specified in the ruling,  
 2502 whereupon the district school board shall withdraw the school  
 2503 bus from use as a school bus until it meets requirements of law  
 2504 and rules of the State Board of Education and until the  
 2505 department has officially revoked the pertinent ruling.  
 2506 Notwithstanding any other provisions of this chapter, general  
 2507 purpose urban transit systems are declared qualified to  
 2508 transport students to and from school.

2509 ~~(12)-(13)~~ The State Board of Education may adopt rules to  
 2510 implement this section as are necessary to protect ~~or desirable~~  
 2511 ~~in the interest of~~ student health and safety.

2512 Section 18. Subsection (4) of section 1006.25, Florida  
 2513 Statutes, is amended to read:

2514 1006.25 School buses.—School buses shall be defined and  
 2515 meet specifications as follows:

2516 (4) OCCUPANT PROTECTION SYSTEMS.—Students may be  
 2517 transported only in designated seating positions, except as  
 2518 provided in s. 1006.22(11) ~~s. 1006.22(12)~~, and must use the  
 2519 occupant crash protection system provided by the manufacturer,  
 2520 which system must comply with the requirements of 49 C.F.R. part  
 2521 571 or with specifications of the State Board of Education.

2522 Section 19. Subsection (1) of section 1006.27, Florida  
 2523 Statutes, is amended to read:

2524 1006.27 Pooling of school buses and other vehicles and  
 2525 related purchases by district school boards; transportation

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2526 services contracts.—

2527 (1) The department shall assist district school boards in  
 2528 securing school buses and other vehicles for transporting  
 2529 students, contractual needs, equipment, and supplies at as  
 2530 reasonable prices as possible by providing a plan under which  
 2531 district school boards may voluntarily pool their bids for such  
 2532 purchases. The department shall prepare bid forms and  
 2533 specifications, obtain quotations of prices and make such  
 2534 information available to district school boards in order to  
 2535 facilitate this service. District school boards from time to  
 2536 time, as prescribed by State Board of Education rule, shall  
 2537 furnish the department with information concerning the prices  
 2538 paid for such items and the department shall furnish to district  
 2539 school boards periodic information concerning the lowest prices  
 2540 at which school buses and other vehicles, equipment, and related  
 2541 supplies are available based upon comparable specifications.

2542 Section 20. Paragraph (k) is added to subsection (2) of  
 2543 section 1011.71, Florida Statutes, to read:

2544 1011.71 District school tax.—

2545 (2) In addition to the maximum millage levy as provided in  
 2546 subsection (1), each school board may levy not more than 1.5  
 2547 mills against the taxable value for school purposes for charter  
 2548 schools pursuant to s. 1013.62(1) and (3) and for district  
 2549 schools to fund:

2550 (k) Payment of salaries and benefits for employees whose

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2551 job duties support activities funded by this subsection.

2552 Section 21. Effective upon this act becoming a law,  
 2553 subsection (3), paragraphs (d), (g), and (h) of subsection (5),  
 2554 paragraph (f) of subsection (6), and paragraphs (d) and (e) of  
 2555 subsection (7) of section 1012.56, Florida Statutes, are  
 2556 amended, and paragraph (i) is added to subsection (5) of that  
 2557 section, to read:

2558 1012.56 Educator certification requirements.—

2559 (3) MASTERY OF GENERAL KNOWLEDGE.—Acceptable means of  
 2560 demonstrating mastery of general knowledge are:

2561 (a) Achievement of passing scores on the general knowledge  
 2562 examination required by state board rule;

2563 (b) Documentation of a valid professional standard  
 2564 teaching certificate issued by another state;

2565 (c) Documentation of a valid certificate issued by the  
 2566 National Board for Professional Teaching Standards or a national  
 2567 educator credentialing board approved by the State Board of  
 2568 Education;

2569 (d) Documentation of two semesters of successful, full-  
 2570 time or part-time teaching in a Florida College System  
 2571 institution, state university, or private college or university  
 2572 that awards an associate or higher degree and is an accredited  
 2573 institution or an institution of higher education identified by  
 2574 the Department of Education as having a quality program;

2575 (e) Achievement of passing scores, identified in state

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2576 board rule, on national or international examinations that test  
 2577 comparable content and relevant standards in verbal, analytical  
 2578 writing, and quantitative reasoning skills, including, but not  
 2579 limited to, the verbal, analytical writing, and quantitative  
 2580 reasoning portions of the Graduate Record Examination. Passing  
 2581 scores identified in state board rule must be at approximately  
 2582 the same level of rigor as is required to pass the general  
 2583 knowledge examinations; or

2584 (f) Documentation of receipt of a master's or higher  
 2585 degree from an accredited postsecondary educational institution  
 2586 that the Department of Education has identified as having a  
 2587 quality program resulting in a baccalaureate degree or higher.  
 2588

2589 A school district that employs an individual who does not  
 2590 achieve passing scores on any subtest of the general knowledge  
 2591 examination must provide information regarding the availability  
 2592 of state-level and district-level supports and instruction to  
 2593 assist him or her in achieving a passing score. Such information  
 2594 must include, but need not be limited to, state-level test  
 2595 information guides, school district test preparation resources,  
 2596 and preparation courses offered by state universities and  
 2597 Florida College System institutions. The requirement of mastery  
 2598 of general knowledge shall be waived for an individual who has  
 2599 been provided 3 years of supports and instruction and who has  
 2600 been rated effective or highly effective under s. 1012.34 for



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2601 each of the last 3 years.

2602 (5) MASTERY OF SUBJECT AREA KNOWLEDGE.—Acceptable means of  
2603 demonstrating mastery of subject area knowledge are:

2604 (d) For a subject requiring a master's or higher degree,  
2605 completion of the subject area specialization requirements  
2606 specified in state board rule and achievement of a passing score  
2607 on the Florida-developed subject area examination or a  
2608 standardized examination that is directly related to the subject  
2609 specified in state board rule;

2610 (g) Documentation of successful completion of a United  
2611 States Defense Language Institute Foreign Language Center  
2612 program; ~~or~~

2613 (h) Documentation of a passing score on the Defense  
2614 Language Proficiency Test (DLPT); or

2615 (i) For a subject requiring only a baccalaureate degree  
2616 for which a Florida subject area examination has been developed,  
2617 documentation of receipt of a master's or higher degree from an  
2618 accredited postsecondary educational institution that the  
2619 Department of Education has identified as having a quality  
2620 program resulting in a baccalaureate degree or higher in the  
2621 certificate subject area as identified by state board rule.

2622  
2623 School districts are encouraged to provide mechanisms for middle  
2624 grades teachers holding only a K-6 teaching certificate to  
2625 obtain a subject area coverage for middle grades through

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2626 postsecondary coursework or district add-on certification.

2627 (6) MASTERY OF PROFESSIONAL PREPARATION AND EDUCATION

2628 COMPETENCE.—Acceptable means of demonstrating mastery of

2629 professional preparation and education competence are:

2630 (f) Successful completion of professional preparation

2631 courses as specified in state board rule, successful completion

2632 of a professional preparation and education competence program

2633 pursuant to paragraph (8) (b), and documentation of 3 years of

2634 being rated effective or highly effective under s. 1012.34 while

2635 holding a temporary certificate ~~achievement of a passing score~~

2636 ~~on the professional education competency examination required by~~

2637 ~~state board rule;~~

2638

2639 The State Board of Education shall adopt rules to implement this

2640 subsection by December 31, 2014, including rules to approve

2641 specific teacher preparation programs that are not identified in

2642 this subsection which may be used to meet requirements for

2643 mastery of professional preparation and education competence.

2644 (7) TYPES AND TERMS OF CERTIFICATION.—

2645 (d) A person who is issued a temporary certificate under

2646 paragraph (b) ~~subparagraph (b)2.~~ must be assigned a teacher

2647 mentor for a minimum of 2 school years after commencing

2648 employment. Each teacher mentor selected by the school district,

2649 charter school, or charter management organization must:

2650 1. Hold a valid professional certificate issued pursuant

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2651 to this section;

2652 2. Have earned at least 3 years of teaching experience in  
2653 prekindergarten through grade 12; and

2654 3. Have earned an effective or highly effective rating on  
2655 the prior year's performance evaluation under s. 1012.34.

2656 (e)~~1.~~ A temporary certificate issued under paragraph (b)  
2657 ~~subparagraph (b)1.~~ is valid for 5 ~~3~~ school fiscal years and is  
2658 nonrenewable.

2659 ~~2. A temporary certificate issued under subparagraph (b)2.~~  
2660 ~~is valid for 5 school fiscal years, is limited to a one-time~~  
2661 ~~issuance, and is nonrenewable.~~

2662  
2663 At least 1 year before an individual's temporary certificate is  
2664 set to expire, the department shall electronically notify the  
2665 individual of the date on which his or her certificate will  
2666 expire and provide a list of each method by which the  
2667 qualifications for a professional certificate can be completed.  
2668 The State Board of Education shall adopt rules to allow the  
2669 department to extend the validity period of a temporary  
2670 certificate for 2 years when the requirements for the  
2671 professional certificate were not completed due to the serious  
2672 illness or injury of the applicant, the military service of an  
2673 applicant's spouse, other extraordinary extenuating  
2674 circumstances, or if the certificateholder is rated highly  
2675 effective in the immediate prior year's performance evaluation

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2676 | pursuant to s. 1012.34 or has completed a 2-year mentorship  
 2677 | program pursuant to subsection (8). The department shall extend  
 2678 | the temporary certificate upon approval by the Commissioner of  
 2679 | Education. A written request for extension of the certificate  
 2680 | shall be submitted by the district school superintendent, the  
 2681 | governing authority of a university lab school, the governing  
 2682 | authority of a state-supported school, or the governing  
 2683 | authority of a private school.

2684 |       Section 22. Paragraph (e) is added to subsection (6) of  
 2685 | section 1013.64, Florida Statutes, to read:

2686 |       1013.64 Funds for comprehensive educational plant needs;  
 2687 | construction cost maximums for school district capital  
 2688 | projects.—Allocations from the Public Education Capital Outlay  
 2689 | and Debt Service Trust Fund to the various boards for capital  
 2690 | outlay projects shall be determined as follows:

2691 |       (6)

2692 |       (e) Notwithstanding the requirements of this subsection,  
 2693 | an unfinished construction project for new construction of  
 2694 | educational plant space that was started on or before July 1,  
 2695 | 2026, is exempt from the total cost per student station  
 2696 | requirements established in paragraph (b).

2697 |       Section 23. Subsection (3) of section 1002.321, Florida  
 2698 | Statutes, is amended to read:

2699 |       1002.321 Digital learning.—

2700 |       ~~(3) DIGITAL PREPARATION.—As required under s. 1003.4282, A~~

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2701 ~~student entering grade 9 in the 2011-2012 school year and~~  
 2702 ~~thereafter who seeks a high school diploma must take at least~~  
 2703 ~~one online course.~~

2704 Section 24. Paragraphs (a) and (b) of subsection (2) of  
 2705 section 1003.5716, Florida Statutes, are amended to read:

2706 1003.5716 Transition to postsecondary education and career  
 2707 opportunities.—All students with disabilities who are 3 years of  
 2708 age to 21 years of age have the right to a free, appropriate  
 2709 public education. As used in this section, the term "IEP" means  
 2710 individual education plan.

2711 (2) Beginning not later than the first IEP to be in effect  
 2712 when the student enters high school, attains the age of 14, or  
 2713 when determined appropriate by the parent and the IEP team,  
 2714 whichever occurs first, the IEP must include the following  
 2715 statements that must be updated annually:

2716 (a) A statement of intent to pursue a standard high school  
 2717 diploma and a Scholar or Merit designation, pursuant to s.  
 2718 1003.4285, as determined by the parent.

2719 1. The statement must document discussion of the process  
 2720 for a student with a disability who meets the requirements for a  
 2721 standard high school diploma to defer the receipt of such  
 2722 diploma pursuant to s. 1003.4282(8)(c) ~~s. 1003.4282(9)(e)~~.

2723 2. For the IEP in effect at the beginning of the school  
 2724 year the student is expected to graduate, the statement must  
 2725 include a signed statement by the parent, the guardian, or the

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2726 student, if the student has reached the age of majority and  
 2727 rights have transferred to the student, that he or she  
 2728 understands the process for deferment and identifying if the  
 2729 student will defer the receipt of his or her standard high  
 2730 school diploma.

2731 (b) A statement of intent to receive a standard high  
 2732 school diploma before the student attains the age of 22 and a  
 2733 description of how the student will fully meet the requirements  
 2734 in s. 1003.4282, including, but not limited to, a portfolio  
 2735 pursuant to s. 1003.4282(8)(b) ~~s. 1003.4282(9)(b)~~ which meets  
 2736 the criteria specified in State Board of Education rule. The IEP  
 2737 must also specify the outcomes and additional benefits expected  
 2738 by the parent and the IEP team at the time of the student's  
 2739 graduation.

2740 Section 25. Subsection (2) of section 1003.499, Florida  
 2741 Statutes, is amended to read:

2742 1003.499 Florida Approved Courses and Tests (FACT)  
 2743 Initiative.—

2744 (2) FLORIDA APPROVED COURSES.—The Department of Education  
 2745 shall annually publish online a list of providers approved to  
 2746 offer Florida approved courses which shall be listed in the  
 2747 online catalog pursuant to s. 1002.321(5) ~~s. 1002.321(6)~~.

2748 (a) As used in this section, the term "Florida approved  
 2749 courses" means online courses provided by individuals which  
 2750 include, but are not limited to, massive open online courses or

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2751 remedial education associated with the courses that are measured  
 2752 pursuant to s. 1008.22. Massive open online courses may be  
 2753 authorized in the following subject areas: Algebra I, biology,  
 2754 geometry, and civics. Courses may be applied toward requirements  
 2755 for promotion or graduation in whole, in subparts, or in a  
 2756 combination of whole and subparts. A student may not be required  
 2757 to repeat subparts that are satisfactorily completed.

2758 (b) A Florida approved course must be annually identified,  
 2759 approved, published, and shared for consideration by interested  
 2760 students and school districts. The Commissioner of Education  
 2761 shall approve each Florida approved course for application in K-  
 2762 12 public schools in accordance with rules of the State Board of  
 2763 Education.

2764 Section 26. Paragraph (c) of subsection (2) of section  
 2765 1003.27, Florida Statutes, is amended to read:

2766 1003.27 Court procedure and penalties.—The court procedure  
 2767 and penalties for the enforcement of the provisions of this  
 2768 part, relating to compulsory school attendance, shall be as  
 2769 follows:

2770 (2) NONENROLLMENT AND NONATTENDANCE CASES.—

2771 (c) Each designee of the governing body of each private  
 2772 school and each parent whose child is enrolled in a home  
 2773 education program or personalized education program may provide  
 2774 the Department of Highway Safety and Motor Vehicles with the  
 2775 legal name, sex, date of birth, and social security number of

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2776 each minor student under his or her jurisdiction who fails to  
2777 satisfy relevant attendance requirements and who fails to  
2778 otherwise satisfy the requirements of s. 322.091. The Department  
2779 of Highway Safety and Motor Vehicles may not issue a driver  
2780 license or learner's driver license to, and shall suspend any  
2781 previously issued driver license or learner's driver license of,  
2782 any such minor student pursuant to s. 322.091.

2783 Section 27. Paragraph (k) of subsection (4) of section  
2784 1003.485, Florida Statutes, is amended to read:

2785 1003.485 The New Worlds Reading Initiative.—

2786 (4) ADMINISTRATOR RESPONSIBILITIES.—The administrator  
2787 shall:

2788 (k) Expend eligible contributions received only for the  
2789 purchase and delivery of books and to implement the requirements  
2790 of this section, as well as for administrative expenses not to  
2791 exceed 2 percent of total eligible contributions.

2792 Notwithstanding s. 1002.395(6)(l)2. ~~s. 1002.395(6)(j)2.~~, the  
2793 administrator may carry forward up to 25 percent of eligible  
2794 contributions made before January 1 of each state fiscal year  
2795 and 100 percent of eligible contributions made on or after  
2796 January 1 of each state fiscal year to the following state  
2797 fiscal year for purposes authorized by this subsection. Any  
2798 eligible contributions in excess of the allowable carry forward  
2799 not used to provide additional books throughout the year to  
2800 eligible students shall revert to the state treasury.



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2801 Section 28. Subsections (3) and (5) of section 1009.30,  
 2802 Florida Statutes, are amended to read:

2803 1009.30 Dual Enrollment Scholarship Program.—

2804 (3)(a) The program shall reimburse eligible postsecondary  
 2805 institutions for tuition and related instructional materials  
 2806 costs for dual enrollment courses taken during the fall or  
 2807 spring terms by eligible students, consisting of:

2808 1. Private school students who take dual enrollment  
 2809 courses pursuant to s. 1007.271(24)(b); ~~or~~

2810 2. Home education program secondary students; or

2811 3. Personalized education program secondary students.

2812 (b) ~~Beginning in the 2022 summer term,~~ The program shall  
 2813 reimburse institutions for tuition and related instructional  
 2814 materials costs for dual enrollment courses taken by public  
 2815 school, private school, ~~or~~ home education program secondary  
 2816 students, or personalized education program secondary students  
 2817 during the summer term.

2818 (5) Each participating institution must report to the  
 2819 department any ~~eligible~~ secondary students eligible pursuant to  
 2820 subsection (3) ~~from private schools or home education programs~~  
 2821 who were enrolled during the fall or spring terms within 30 days  
 2822 after the end of regular registration. Each participating  
 2823 institution must report to the department any secondary students  
 2824 eligible pursuant to subsection (3) ~~public school, private~~  
 2825 ~~school, or home education program students~~ who were enrolled

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2826 | during the summer term within 30 days after the end of regular  
2827 | registration. For each dual enrollment course in which the  
2828 | student is enrolled, the report must include a unique student  
2829 | identifier, the postsecondary institution name, the  
2830 | postsecondary course number, and the postsecondary course name.  
2831 | The department shall reimburse each participating institution no  
2832 | later than 30 days after the institution has reported enrollment  
2833 | for that term.

2834 |       Section 29. Except as otherwise expressly provided in this  
2835 | act and except for this section, which shall take effect upon  
2836 | this act becoming a law, this act shall take effect July 1,  
2837 | 2023.