



203782

LEGISLATIVE ACTION

Senate	.	House
	.	
	.	
Floor: 1/AD/2R	.	Floor: C
03/06/2024 03:34 PM	.	03/07/2024 01:05 PM
	.	

Senator Simon moved the following:

Senate Amendment (with title amendment)

Delete lines 309 - 1957

and insert:

3. Instructional materials, including digital materials and Internet resources.

4. Curriculum as defined in subsection (2).

5. Tuition and fees associated with full-time or part-time enrollment in an eligible postsecondary educational institution or a program offered by the postsecondary educational institution, unless the program is subject to s. 1009.25 or



12 reimbursed pursuant to s. 1009.30; an approved preapprenticeship
13 program as defined in s. 446.021(5) which is not subject to s.
14 1009.25 and complies with all applicable requirements of the
15 department pursuant to chapter 1005; a private tutoring program
16 authorized under s. 1002.43; a virtual program offered by a
17 department-approved private online provider that meets the
18 provider qualifications specified in s. 1002.45(2)(a); the
19 Florida Virtual School as a private paying student; or an
20 approved online course offered pursuant to s. 1003.499 or s.
21 1004.0961.

22 6. Fees for nationally standardized, norm-referenced
23 achievement tests, Advanced Placement Examinations, industry
24 certification examinations, assessments related to postsecondary
25 education, or other assessments.

26 7. Contracted services provided by a public school or
27 school district, including classes. A student who receives
28 contracted services under this subparagraph is not considered
29 enrolled in a public school for eligibility purposes as
30 specified in subsection (6) but rather attending a public school
31 on a part-time basis as authorized under s. 1002.44.

32 8. Tuition and fees for part-time tutoring services or fees
33 for services provided by a choice navigator. Such services must
34 be provided by a person who holds a valid Florida educator's
35 certificate pursuant to s. 1012.56, a person who holds an
36 adjunct teaching certificate pursuant to s. 1012.57, a person
37 who has a bachelor's degree or a graduate degree in the subject
38 area in which instruction is given, a person who has
39 demonstrated a mastery of subject area knowledge pursuant to s.
40 1012.56(5), or a person certified by a nationally or



203782

41 internationally recognized research-based training program as
42 approved by the department. As used in this subparagraph, the
43 term "part-time tutoring services" does not qualify as regular
44 school attendance as defined in s. 1003.01(16)(e).

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

48 1. Instructional materials, including digital devices,
49 digital periphery devices, and assistive technology devices that
50 allow a student to access instruction or instructional content
51 and training on the use of and maintenance agreements for these
52 devices.

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

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

57 a. Applied behavior analysis services as provided in ss.
58 627.6686 and 641.31098.

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

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

62 d. Services provided by physical therapists as defined in
63 s. 486.021(8).

64 e. Services provided by listening and spoken language
65 specialists and an appropriate acoustical environment for a
66 child who has a hearing impairment, including deafness, and who
67 has received an implant or assistive hearing device.

68 4. Tuition and fees associated with full-time or part-time
69 enrollment in a home education program; an eligible private



70 school; an eligible postsecondary educational institution or a
71 program offered by the postsecondary educational institution,
72 unless the program is subject to s. 1009.25 or reimbursed
73 pursuant to s. 1009.30; an approved preapprenticeship program as
74 defined in s. 446.021(5) which is not subject to s. 1009.25 and
75 complies with all applicable requirements of the department
76 pursuant to chapter 1005; a private tutoring program authorized
77 under s. 1002.43; a virtual program offered by a department-
78 approved private online provider that meets the provider
79 qualifications specified in s. 1002.45(2)(a); the Florida
80 Virtual School as a private paying student; or an approved
81 online course offered pursuant to s. 1003.499 or s. 1004.0961.

82 5. Fees for nationally standardized, norm-referenced
83 achievement tests, Advanced Placement Examinations, industry
84 certification examinations, assessments related to postsecondary
85 education, or other assessments.

86 6. Contributions to the Stanley G. Tate Florida Prepaid
87 College Program pursuant to s. 1009.98 or the Florida College
88 Savings Program pursuant to s. 1009.981 for the benefit of the
89 eligible student.

90 7. Contracted services provided by a public school or
91 school district, including classes. A student who receives
92 services under a contract under this paragraph is not considered
93 enrolled in a public school for eligibility purposes as
94 specified in subsection (6) but rather attending a public school
95 on a part-time basis as authorized under s. 1002.44.

96 8. Tuition and fees for part-time tutoring services or fees
97 for services provided by a choice navigator. Such services must
98 be provided by a person who holds a valid Florida educator's



203782

99 certificate pursuant to s. 1012.56, a person who holds an
100 adjunct teaching certificate pursuant to s. 1012.57, a person
101 who has a bachelor's degree or a graduate degree in the subject
102 area in which instruction is given, a person who has
103 demonstrated a mastery of subject area knowledge pursuant to s.
104 1012.56(5), or a person certified by a nationally or
105 internationally recognized research-based training program as
106 approved by the department. As used in this subparagraph, the
107 term "part-time tutoring services" does not qualify as regular
108 school attendance as defined in s. 1003.01(16)(e).

109 9. Fees for specialized summer education programs.

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

111 11. Transition services provided by job coaches. Transition
112 services are a coordinated set of activities which are focused
113 on improving the academic and functional achievement of a
114 student with a disability to facilitate the student's movement
115 from school to postschool activities and are based on the
116 student's needs.

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

120 13. Tuition and fees associated with programs offered by
121 Voluntary Prekindergarten Education Program providers approved
122 pursuant to s. 1002.55, ~~and~~ school readiness providers approved
123 pursuant to s. 1002.88, and prekindergarten programs offered by
124 an eligible private school.

125 14. Fees for services provided at a center that is a member
126 of the Professional Association of Therapeutic Horsemanship
127 International.



203782

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

131 (5) TERM OF SCHOLARSHIP.—For purposes of continuity of
132 educational choice:

133 (a)1. A scholarship funded ~~awarded~~ to an eligible student
134 pursuant to paragraph (3) (a) shall remain in force until:

135 a. The organization determines that the student is not
136 eligible for program renewal;

137 b. The Commissioner of Education suspends or revokes
138 program participation or use of funds;

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

141 d. The student, who uses the scholarship for tuition and
142 fees pursuant to subparagraph (4) (a)1., enrolls in a public
143 school. However, if a student enters a Department of Juvenile
144 Justice detention center for a period of no more than 21 days,
145 the student is not considered to have returned to a public
146 school on a full-time basis for that purpose; or

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

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

151 (I) Denial or revocation of program eligibility by the
152 commissioner for fraud or abuse, including, but not limited to,
153 the student or student's parent accepting any payment, refund,
154 or rebate, in any manner, from a provider of any services
155 received pursuant to paragraph (4) (a); ~~or~~

156 (II) Two consecutive fiscal years in which an account has



157 been inactive; or
158 (III) A student remains unenrolled in an eligible private
159 school for 30 days while receiving a scholarship that requires
160 full-time enrollment.

161 b. Reimbursements for program expenditures may continue
162 until the account balance is expended or remaining funds have
163 reverted to the state.

164 (b)1. A scholarship funded ~~awarded~~ to an eligible student
165 pursuant to paragraph (3) (b) shall remain in force until:

166 a. The parent does not renew program eligibility;

167 b. The organization determines that the student is not
168 eligible for program renewal;

169 c. The Commissioner of Education suspends or revokes
170 program participation or use of funds;

171 d. The student's parent has forfeited participation in the
172 program for failure to comply with subsection (10);

173 e. The student enrolls full time in a public school; or

174 f. The student graduates from high school or attains 22
175 years of age, whichever occurs first.

176 2. Reimbursements for program expenditures may continue
177 until the account balance is expended or the account is closed.

178 3. A student's scholarship account must be closed and any
179 remaining funds, including, but not limited to, contributions
180 made to the Stanley G. Tate Florida Prepaid College Program or
181 earnings from or contributions made to the Florida College
182 Savings Program using program funds pursuant to subparagraph
183 (4) (b) 6., shall revert to the state after:

184 a. Denial or revocation of program eligibility by the
185 commissioner for fraud or abuse, including, but not limited to,



203782

186 the student or student's parent accepting any payment, refund,
187 or rebate, in any manner, from a provider of any services
188 received pursuant to subsection (4);

189 b. Any period of 3 consecutive years after high school
190 completion or graduation during which the student has not been
191 enrolled in an eligible postsecondary educational institution or
192 a program offered by the institution; or

193 c. Two consecutive fiscal years in which an account has
194 been inactive.

195 (c) Upon reasonable notice to the organization and the
196 school district, the student's parent may remove the student
197 from the participating private school and place the student in a
198 public school in accordance with this section.

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

201 (a) Enrolled full time in a public school, including, but
202 not limited to, the Florida School for the Deaf and the Blind,
203 the College-Preparatory Boarding Academy, the Florida School for
204 Competitive Academics, the Florida Virtual School, the Florida
205 Scholars Academy, a developmental research school authorized
206 under s. 1002.32, or a charter school authorized under this
207 chapter. For purposes of this paragraph, a 3- or 4-year-old
208 child who receives services funded through the Florida Education
209 Finance Program is considered to be a student enrolled in a
210 public school;

211 (c) Receiving any other educational scholarship pursuant to
212 this chapter. However, an eligible public school student
213 receiving a scholarship under s. 1002.411 may receive a
214 scholarship for transportation pursuant to subparagraph



215 (4) (a) 2.;

216 (d) Not having regular and direct contact with his or her
217 private school teachers pursuant to s. 1002.421(1)(i), unless he
218 or she is eligible pursuant to paragraph (3)(b) and enrolled in
219 the participating private school's transition-to-work program
220 pursuant to subsection (16) or a home education program pursuant
221 to s. 1002.41;

222 (7) SCHOOL DISTRICT OBLIGATIONS.—

223 (d) Upon the request of the department, a school district
224 shall coordinate with the department to provide to a
225 participating private school the statewide assessments
226 administered under s. 1008.22 and any related materials for
227 administering the assessments. For a student who participates in
228 the Family Empowerment Scholarship Program whose parent requests
229 that the student take the statewide assessments under s.
230 1008.22, the district in which the student attends a
231 participating private school shall provide locations and times
232 to take all statewide assessments. A school district is
233 responsible for implementing test administrations at a
234 participating private school, including the:

235 1. Provision of training for private school staff on test
236 security and assessment administration procedures;

237 2. Distribution of testing materials to a private school;

238 3. Retrieval of testing materials from a private school;

239 4. Provision of the required format for a private school to
240 submit information to the district for test administration and
241 enrollment purposes; and

242 5. Provision of any required assistance, monitoring, or
243 investigation at a private school.



203782

244 (8) DEPARTMENT OF EDUCATION OBLIGATIONS.—

245 (a) The department shall:

246 1. Publish and update, as necessary, information on the
247 department website about the Family Empowerment Scholarship
248 Program, including, but not limited to, student eligibility
249 criteria, parental responsibilities, and relevant data.

250 2. Report, as part of the determination of full-time
251 equivalent membership pursuant to s. 1011.62(1)(a), all
252 scholarship students ~~who are receiving a scholarship under the~~
253 ~~program and are~~ funded through the Florida Education Finance
254 Program, and cross-check the list of ~~participating~~ scholarship
255 students submitted by the eligible nonprofit scholarship-funding
256 organization with the full-time equivalent student membership
257 survey data ~~public school enrollment lists~~ to avoid duplication.

258 3. Maintain and annually publish a list of nationally norm-
259 referenced tests identified for purposes of satisfying the
260 testing requirement in subparagraph (9)(c)1. The tests must meet
261 industry standards of quality in accordance with state board
262 rule.

263 4. Notify eligible nonprofit scholarship-funding
264 organizations of the deadlines for submitting the verified list
265 of eligible scholarship students ~~determined to be eligible for a~~
266 ~~scholarship. An eligible nonprofit scholarship-funding~~
267 ~~organization may not submit a student for funding after February~~
268 ~~1.~~

269 5. Deny or terminate program participation upon a parent's
270 failure to comply with subsection (10).

271 6. Notify the parent and the organization when a
272 scholarship account is closed and program funds revert to the



273 state.

274 7. Notify an eligible nonprofit scholarship-funding
275 organization of any of the organization's or other
276 organization's identified students who are receiving
277 scholarships under this chapter.

278 8. Maintain on its website a list of approved providers as
279 required by s. 1002.66, eligible postsecondary educational
280 institutions, eligible private schools, and eligible
281 organizations and may identify or provide links to lists of
282 other approved providers.

283 9. Require each organization to verify eligible
284 expenditures before the distribution of funds for any
285 expenditures made pursuant to subparagraphs (4)(b)1. and 2.
286 Review of expenditures made for services specified in
287 subparagraphs (4)(b)3.-15. may be completed after the purchase
288 is made.

289 10. Investigate any written complaint of a violation of
290 this section by a parent, a student, a participating private
291 school, a public school, a school district, an organization, a
292 provider, or another appropriate party in accordance with the
293 process established under s. 1002.421.

294 11. Require quarterly reports by an organization, which
295 must include, at a minimum, the number of students participating
296 in the program; the demographics of program participants; the
297 disability category of program participants; the matrix level of
298 services, if known; the program award amount per student; the
299 total expenditures for the purposes specified in paragraph
300 (4)(b); the types of providers of services to students; the
301 number of scholarship applications received, the number of



302 applications processed within 30 days after receipt, and the
303 number of incomplete applications received; data related to
304 reimbursement submissions, including the average number of days
305 for a reimbursement to be reviewed and the average number of
306 days for a reimbursement to be approved; any parent input and
307 feedback collected regarding the program; and any other
308 information deemed necessary by the department.

309 12. Notify eligible nonprofit scholarship-funding
310 organizations that scholarships may not be awarded in a school
311 district in which the award will exceed 99 percent of the school
312 district's share of state funding through the Florida Education
313 Finance Program as calculated by the department.

314 13. Adjust payments to eligible nonprofit scholarship-
315 funding organizations and, when the Florida Education Finance
316 Program is recalculated, adjust the amount of state funds
317 allocated to school districts through the Florida Education
318 Finance Program based upon the results of the cross-check
319 completed pursuant to subparagraph 2.

320 (d) The department may provide guidance to a participating
321 private school that submits a transition-to-work program plan
322 pursuant to subsection (16).

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

327 (b) Provide to the organization all documentation required
328 for a student's participation, including confirmation of the
329 student's admission to the private school, the private school's
330 and student's fee schedules, and any other information required



203782

331 by the organization to process scholarship payment under
332 subparagraph (12) (a)4. Such information must be provided by the
333 deadlines established by the organization and in accordance with
334 the requirements of this section at least 30 days before any
335 quarterly scholarship payment is made for the student pursuant
336 to paragraph (12) (a). A student is not eligible to receive a
337 quarterly scholarship payment if the private school fails to
338 meet the this deadline.

339

340 If a private school fails to meet the requirements of this
341 subsection or s. 1002.421, the commissioner may determine that
342 the private school is ineligible to participate in the
343 scholarship program.

344 (10) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
345 PARTICIPATION.—

346 (a) A parent who applies for a scholarship ~~applies for~~
347 ~~program participation~~ under paragraph (3) (a) whose student will
348 be enrolled full time in an eligible ~~a~~ private school must:

349 1. Select an eligible ~~the~~ private school and apply for the
350 admission of his or her student.

351 2. Request the scholarship by the ~~a~~ date established by the
352 organization₇ in a manner that creates a written or electronic
353 record of the request and the date of receipt of the request.

354 3.a. Beginning with new applications for the 2025-2026
355 school year and thereafter, notify the organization by December
356 15 that the scholarship is being accepted or declined.

357 b. Beginning with renewal applications for the 2025-2026
358 school year and thereafter, notify the organization by May 31
359 that the scholarship is being renewed or declined.



360 ~~4.3.~~ Inform the applicable school district when the parent
361 withdraws his or her student from a public school to attend an
362 eligible private school.

363 ~~5.4.~~ Require his or her student participating in the
364 program to remain in attendance at the eligible private school
365 throughout the school year unless excused by the school for
366 illness or other good cause.

367 ~~6.5.~~ Meet with the eligible private school's principal or
368 the principal's designee to review the school's academic
369 programs and policies, specialized services, code of student
370 conduct, and attendance policies before enrollment.

371 ~~7.6.~~ Require his or her ~~that the~~ student participating in
372 the ~~scholarship~~ program to take ~~takes~~ the norm-referenced
373 assessment offered by the eligible private school. The parent
374 may also choose to have the student participate in the statewide
375 assessments pursuant to paragraph (7) (d). If the parent requests
376 that the student participating in the program take all statewide
377 assessments required pursuant to s. 1008.22, the parent is
378 responsible for transporting the student to the assessment site
379 designated by the school district.

380 ~~8.7.~~ Approve each payment before the scholarship funds may
381 be deposited by funds transfer pursuant to subparagraph
382 (12) (a)4. The parent may not designate any entity or individual
383 associated with the participating private school as the parent's
384 attorney in fact to approve a funds transfer. A participant who
385 fails to comply with this paragraph forfeits the scholarship.

386 ~~9.8.~~ Agree to have the organization commit scholarship
387 funds on behalf of his or her student for tuition and fees for
388 which the parent is responsible for payment at the eligible



203782

389 private school before using scholarship ~~empowerment~~ account
390 funds for additional authorized uses under paragraph (4) (a). A
391 parent is responsible for all eligible expenses in excess of the
392 amount of the scholarship.

393 10. Comply with the scholarship application and renewal
394 processes and requirements established by the organization.

395 (b) A parent who applies for a scholarship ~~applies for~~
396 ~~program participation~~ under paragraph (3) (b) is exercising his
397 or her parental option to determine the appropriate placement or
398 the services that best meet the needs of his or her child and
399 must:

400 1. Apply to an eligible nonprofit scholarship-funding
401 organization to participate in the program by a date set by the
402 organization. The request must be communicated directly to the
403 organization in a manner that creates a written or electronic
404 record of the request and the date of receipt of the request.

405 2.a. Beginning with new applications for the 2025-2026
406 school year and thereafter, notify the organization by December
407 15 that the scholarship is being accepted or declined.

408 b. Beginning with renewal applications for the 2025-2026
409 school year and thereafter, notify the organization by May 31
410 that the scholarship is being renewed or declined.

411 ~~3.2-~~ Sign an agreement with the organization and annually
412 submit a sworn compliance statement to the organization to
413 satisfy or maintain program eligibility, including eligibility
414 to receive and spend program payments by:

415 a. Affirming that the student is enrolled in a program that
416 meets regular school attendance requirements as provided in s.
417 1003.01(16) (b), (c), or (d).



203782

418 b. Affirming that the program funds are used only for
419 authorized purposes serving the student's educational needs, as
420 described in paragraph (4) (b); that any prepaid college plan or
421 college savings plan funds contributed pursuant to subparagraph
422 (4) (b)6. will not be transferred to another beneficiary while
423 the plan contains funds contributed pursuant to this section;
424 and that they will not receive a payment, refund, or rebate of
425 any funds provided under this section.

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

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

431 (II) Providing an annual evaluation in accordance with s.
432 1002.41(1) (f); or

433 (III) Requiring the child to take any preassessments and
434 postassessments selected by the provider if the child is 4 years
435 of age and is enrolled in a program provided by an eligible
436 Voluntary Prekindergarten Education Program provider. A student
437 with disabilities for whom the physician or psychologist who
438 issued the diagnosis or the IEP team determines that a
439 preassessment and postassessment is not appropriate is exempt
440 from this requirement. A participating provider shall report a
441 student's scores to the parent.

442 d. Affirming that the student remains in good standing with
443 the provider or school if those options are selected by the
444 parent.

445 e. Enrolling his or her child in a program from a Voluntary
446 Prekindergarten Education Program provider authorized under s.



447 1002.55, a school readiness provider authorized under s.
448 1002.88, a prekindergarten program offered by an eligible
449 private school, or an eligible private school if either option
450 is selected by the parent.

451 f. Comply with the scholarship application and renewal
452 processes and requirements established by the organization
453 Renewing participation in the program each year. A student whose
454 participation in the program is not renewed may continue to
455 spend scholarship funds that are in his or her account from
456 prior years unless the account must be closed pursuant to
457 subparagraph (5)(b)3. Notwithstanding any changes to the
458 student's IEP, a student who was previously eligible for
459 participation in the program shall remain eligible to apply for
460 renewal. However, for a high-risk child to continue to
461 participate in the program in the school year after he or she
462 reaches 6 years of age, the child's application for renewal of
463 program participation must contain documentation that the child
464 has a disability defined in paragraph (2)(e) other than high-
465 risk status.

466 g. Procuring the services necessary to educate the student.
467 If such services include enrollment in an eligible private
468 school, the parent must meet with the private school's principal
469 or the principal's designee to review the school's academic
470 programs and policies, specialized services, code of student
471 conduct, and attendance policies before his or her student is
472 enrolled. The parent must also approve each payment to the
473 eligible private school before the scholarship funds may be
474 deposited by funds transfer pursuant to subparagraph (12)(a)4.
475 The parent may not designate any entity or individual associated



203782

476 with the eligible private school as the parent's attorney in
477 fact to approve a funds transfer. When the student receives a
478 scholarship, the district school board is not obligated to
479 provide the student with a free appropriate public education.
480 For purposes of s. 1003.57 and the Individuals with Disabilities
481 in Education Act, a participating student has only those rights
482 that apply to all other unilaterally parentally placed students,
483 except that, when requested by the parent, school district
484 personnel must develop an IEP or matrix level of services.

485 (c) A parent may not apply for multiple scholarships under
486 this section and s. 1002.395 for an individual student at the
487 same time.

488 (d) ~~(e)~~ A participant who fails to comply with this
489 subsection forfeits the scholarship.

490 (11) OBLIGATIONS OF ELIGIBLE SCHOLARSHIP-FUNDING
491 ORGANIZATIONS.—

492 (a) An eligible nonprofit scholarship-funding organization
493 awarding scholarships to eligible students pursuant to paragraph
494 (3) (a) shall:

495 1. Establish a process for parents who are in compliance
496 with paragraph (10) (a) to renew their students' scholarships.
497 Renewal applications for the 2025-2026 school year and
498 thereafter must provide for a renewal timeline beginning
499 February 1 of the prior school year and ending April 30 of the
500 prior school year. A student's renewal is contingent upon an
501 eligible private school providing confirmation of student
502 admission pursuant to subsection (9). The process must require
503 that parents confirm that the scholarship is being renewed or
504 declined by May 31.



203782

505 2. Establish a process that allows a parent to apply for a
506 new scholarship. The process may begin no earlier than February
507 1 of the prior school year and must authorize submission of
508 applications until November 15. The process must be in a manner
509 that creates a written or electronic record of the application
510 request and the date of receipt of the application request.

511 Applications received after the deadline may be considered for
512 scholarship award in the subsequent fiscal year. The process
513 must require that parents confirm that the scholarship is being
514 accepted or declined by December 15. ~~Must receive applications,~~
515 ~~determine student eligibility, notify parents in accordance with~~
516 ~~the requirements of this section, and provide the department~~
517 ~~with information on the student to enable the department to~~
518 ~~determine student funding in accordance with paragraph (12) (a).~~

519 ~~3.2. Shall~~ Verify the household income level of students
520 seeking priority eligibility and submit the verified list of
521 ~~students and related documentation~~ to the department ~~when~~
522 ~~necessary.~~

523 ~~4.3. Shall~~ Award scholarships in priority order pursuant to
524 paragraph (3) (a).

525 ~~5.4. Shall~~ Establish and maintain separate scholarship
526 ~~empowerment~~ accounts for each eligible student. For each
527 account, the organization must maintain a record of accrued
528 interest that is retained in the student's account and available
529 only for authorized program expenditures.

530 ~~6.5. May~~ Permit eligible students to use program funds for
531 the purposes specified in paragraph (4) (a), as authorized in the
532 organization's purchasing handbook, by paying for the authorized
533 use directly, then submitting a reimbursement request to the



203782

534 eligible nonprofit scholarship-funding organization. However, an
535 eligible nonprofit scholarship-funding organization may require
536 the use of an online platform for direct purchases of products
537 so long as such use does not limit a parent's choice of
538 curriculum or academic programs. If a parent purchases a product
539 identical to one offered by an organization's online platform
540 for a lower price, the organization must ~~shall~~ reimburse the
541 parent the cost of the product.

542 ~~6. May, from eligible contributions received pursuant to s.~~
543 ~~1002.395(6)(1)1., use an amount not to exceed 2.5 percent of the~~
544 ~~total amount of all scholarships funded under this section for~~
545 ~~administrative expenses associated with performing functions~~
546 ~~under this section. An eligible nonprofit scholarship-funding~~
547 ~~organization that has, for the prior fiscal year, complied with~~
548 ~~the expenditure requirements of s. 1002.395(6)(1)2., may use an~~
549 ~~amount not to exceed 3 percent. Such administrative expense~~
550 ~~amount is considered within the 3 percent limit on the total~~
551 ~~amount an organization may use to administer scholarships under~~
552 ~~this chapter.~~

553 7. ~~Must~~, In a timely manner, submit the verified list of
554 students and any information requested by the department
555 relating to the scholarship under this section.

556 8. ~~Must~~ Notify the department about any violation of this
557 section.

558 9. ~~Must~~ Document each student's eligibility for a fiscal
559 year before granting a scholarship for that fiscal year. A
560 student is ineligible for a scholarship if the student's account
561 has been inactive for 2 consecutive fiscal years.

562 10. ~~Must~~ Notify each parent that participation in the



563 scholarship program does not guarantee enrollment.

564 11. ~~Shall~~ Commit scholarship funds on behalf of the student
565 for tuition and fees for which the parent is responsible for
566 payment at the participating private school before using
567 scholarship empowerment account funds for additional authorized
568 uses under paragraph (4) (a).

569 (b) An eligible nonprofit scholarship-funding organization
570 awarding scholarships to eligible students pursuant to paragraph
571 (3) (b) shall:

572 1. Establish a process for parents who are in compliance
573 with paragraph (10) (b) to renew their students' scholarships.
574 Renewal applications for the 2025-2026 school year and
575 thereafter must provide for a renewal timeline beginning
576 February 1 of the prior school year and ending April 30 of the
577 prior school year. A student's renewal is contingent upon an
578 eligible private school providing confirmation of student
579 admission pursuant to subsection (9), if applicable. The process
580 must require that parents confirm that the scholarship is being
581 renewed or declined by May 31.

582 2. Establish a process that allows a parent to apply for a
583 new scholarship. The process may begin no earlier than February
584 1 of the prior school year and must authorize the submission of
585 applications until November 15. The process must be in a manner
586 that creates a written or electronic record of the application
587 request and the date of receipt of the application request.
588 Applications received after the deadline may be considered for
589 scholarship award in the subsequent fiscal year. The process
590 must require that parents confirm that the scholarship is being
591 accepted or declined by December 15.



203782

592 ~~1. Receive applications, determine student eligibility, and~~
593 ~~notify parents in accordance with the requirements of this~~
594 ~~section. When an application is approved, the organization must~~
595 ~~provide the department with information on the student to enable~~
596 ~~the department to determine student funding in accordance with~~
597 ~~paragraph (12) (b).~~

598 ~~2. Establish a date by which a parent must confirm initial~~
599 ~~or continuing participation in the program.~~

600 ~~3. Review applications and award scholarships using the~~
601 ~~following priorities:~~

602 ~~a. For the 2021-2022 school year, a student who received a~~
603 ~~Gardiner Scholarship in the 2020-2021 school year and meets the~~
604 ~~eligibility requirements in paragraph (3) (b).~~

605 ~~a.b. Renewing students from the previous school year.~~

606 ~~e. Students retained on the previous school year's wait~~
607 ~~list.~~

608 ~~b.d. An eligible student who meets the criteria for an~~
609 ~~initial award pursuant to paragraph (3) (b) on a first-come,~~
610 ~~first-served basis.~~

611
612 ~~An approved student who does not receive a scholarship must be~~
613 ~~placed on the wait list in the order in which his or her~~
614 ~~application is approved. A student who does not receive a~~
615 ~~scholarship within the fiscal year shall be retained on the wait~~
616 ~~list for the subsequent fiscal year.~~

617 ~~4. Establish and maintain separate accounts for each~~
618 ~~eligible student. For each account, the organization must~~
619 ~~maintain a record of accrued interest that is retained in the~~
620 ~~student's account and available only for authorized program~~



621 expenditures.

622 5. Verify qualifying educational expenditures pursuant to
623 the requirements of paragraph (4) (b).

624 6. Return any remaining program funds to the department
625 pursuant to paragraph (6) (b).

626 7. Notify the parent about the availability of, and the
627 requirements associated with requesting, an initial IEP or IEP
628 reevaluation every 3 years for each student participating in the
629 program.

630 8. Notify the parent of available state and local services,
631 including, but not limited to, services under chapter 413.

632 9. In a timely manner, submit to the department the
633 verified list of eligible scholarship students and any
634 information requested by the department relating to the
635 scholarship under this section.

636 ~~10.8.~~ Notify the department of any violation of this
637 section.

638 ~~11.9.~~ Document each scholarship student's eligibility for a
639 fiscal year before granting a scholarship for that fiscal year
640 pursuant to paragraph (3) (b). A student is ineligible for a
641 scholarship if the student's account has been inactive for 2
642 consecutive fiscal years.

643 (c) An eligible nonprofit scholarship-funding organization
644 may, from eligible contributions received pursuant to s.
645 1002.395(6) (1)1., use an amount not to exceed 2.5 percent of the
646 total amount of all scholarships funded under this section for
647 administrative expenses associated with performing functions
648 under this section. An organization that, for the prior fiscal
649 year, has complied with the expenditure requirements of s.



203782

650 1002.395(6)(1)3. may use an amount not to exceed 3 percent. Such
651 administrative expense amount is considered within the 3-percent
652 limit on the total amount an organization may use to administer
653 scholarships under this chapter.

654 (d) An eligible nonprofit scholarship-funding organization
655 shall establish a process to collect input and feedback from
656 parents, private schools, and providers before implementing
657 substantial modifications or enhancements to the reimbursement
658 process.

659 (12) SCHOLARSHIP FUNDING AND PAYMENT.—

660 (a)1. ~~Scholarships for students determined eligible~~
661 ~~pursuant to paragraph (3)(a) may be funded once all scholarships~~
662 ~~have been funded in accordance with s. 1002.395(6)(1)2. The~~
663 ~~calculated scholarship amount for a participating student~~
664 ~~determined eligible pursuant to paragraph (3)(a) shall be based~~
665 ~~upon the grade level and school district in which the student~~
666 ~~was assigned as 100 percent of the funds per unweighted full-~~
667 ~~time equivalent in the Florida Education Finance Program for a~~
668 ~~student in the basic program established pursuant to s.~~

669 ~~1011.62(1)(c)1., plus a per-full-time equivalent share of funds~~
670 ~~for the categorical programs established in s. 1011.62(5),~~
671 ~~(7)(a), and (16), as funded in the General Appropriations Act.~~

672 2. A scholarship of \$750 or an amount equal to the school
673 district expenditure per student riding a school bus, as
674 determined by the department, whichever is greater, may be
675 awarded to an eligible student who is enrolled in a Florida
676 public school that is different from the school to which the
677 student was assigned or in a lab school as defined in s. 1002.32
678 if the school district does not provide the student with



203782

679 transportation to the school.

680 3.a. For renewing scholarship students, the organization
681 must provide the department with the documentation necessary to
682 verify the student's continued eligibility to participate in the
683 scholarship program at least 30 days before each payment
684 participation. Upon receiving the verified list of eligible
685 scholarship students documentation, the department shall release
686 transfer, beginning August 1, from state funds only, the amount
687 calculated pursuant to subparagraph 1. 2. to the organization
688 for deposit into the student's account in quarterly payments no
689 later than August 1, November 1, February 1, and April 1 of
690 quarterly disbursement to parents of participating students each
691 school year in which the scholarship is in force.

692 b. For new scholarship students, the organization must
693 verify the student's eligibility to participate in the
694 scholarship program at least 30 days before each payment. Upon
695 receiving the verified list of eligible scholarship students,
696 the department shall release, from state funds only, the amount
697 calculated pursuant to subparagraph 1. to the organization for
698 deposit into the student's account in quarterly payments no
699 later than September 1, November 1, February 1, and April 1 of
700 each school year in which the scholarship is in force. For a
701 student exiting a Department of Juvenile Justice commitment
702 program who chooses to participate in the scholarship program,
703 the amount calculated pursuant to subparagraph 1. must be
704 transferred from the school district in which the student last
705 attended a public school before commitment to the Department of
706 Juvenile Justice.

707 c. The department is authorized to release the state funds



708 contingent upon verification that the organization will comply
709 with s. 1002.395(6)(1) based upon the organization's submitted
710 verified list of eligible scholarship students pursuant to s.
711 1002.395 ~~For a student exiting a Department of Juvenile Justice~~
712 ~~commitment program who chooses to participate in the scholarship~~
713 ~~program, the amount of the Family Empowerment Scholarship~~
714 ~~calculated pursuant to subparagraph 2. must be transferred from~~
715 ~~the school district in which the student last attended a public~~
716 ~~school before commitment to the Department of Juvenile Justice.~~
717 ~~When a student enters the scholarship program, the organization~~
718 ~~must receive all documentation required for the student's~~
719 ~~participation, including the private school's and the student's~~
720 ~~fee schedules, at least 30 days before the first quarterly~~
721 ~~scholarship payment is made for the student.~~

722 4. The initial payment shall be made after the
723 organization's verification of admission acceptance, and
724 subsequent payments shall be made upon verification of continued
725 enrollment and attendance at the participating private school.
726 Payments for tuition and fees for full-time enrollment shall be
727 made within 7 business days after approval by the parent
728 pursuant to paragraph (10)(a) and the private school pursuant to
729 paragraph (9)(b). Payment must be by funds transfer or any other
730 means of payment that the department deems to be commercially
731 viable or cost-effective. An organization shall ensure that the
732 parent has approved a funds transfer before any scholarship
733 funds are deposited.

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



203782

737 (b)1. For the 2024-2025 ~~2023-2024~~, school year, the maximum
738 number of scholarships funded ~~students participating in the~~
739 ~~scholarship program~~ under paragraph (3) (b) shall be 72,615 ~~the~~
740 ~~number of students the organization and the department~~
741 ~~determined eligible pursuant to this section~~. Beginning in the
742 2025-2026 ~~2024-2025~~ school year, the maximum number of
743 scholarships funded ~~students participating in the scholarship~~
744 ~~program~~ under paragraph (3) (b) shall annually increase by 5 ~~3.0~~
745 percent of the state's total exceptional student education full-
746 time equivalent student membership, not including gifted
747 students. The maximum number of scholarships funded shall
748 increase by 1 percent of the state's total exceptional student
749 education full-time equivalent student membership, not including
750 gifted students, in the school year following any school year in
751 which the number of scholarships funded exceeds 95 percent of
752 the number of available scholarships for that school year. An
753 eligible student who meets any of the following requirements
754 shall be excluded from the maximum number of students if the
755 student:

756 a. Received specialized instructional services under the
757 Voluntary Prekindergarten Education Program pursuant to s.
758 1002.66 during the previous school year and the student has a
759 current IEP developed by the district school board in accordance
760 with rules of the State Board of Education;

761 b. Is a dependent child of a law enforcement officer or a
762 member of the United States Armed Forces, a foster child, or an
763 adopted child; or

764 c. Spent the prior school year in attendance at a Florida
765 public school or the Florida School for the Deaf and the Blind.



766 For purposes of this subparagraph, the term "prior school year
767 in attendance" means that the student was enrolled and reported
768 by:

769 (I) A school district for funding during either the
770 preceding October or February full-time equivalent student
771 membership surveys in kindergarten through grade 12, which
772 includes time spent in a Department of Juvenile Justice
773 commitment program if funded under the Florida Education Finance
774 Program;

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

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

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

784 2. For a student who has a Level I to Level III matrix of
785 services or a diagnosis by a physician or psychologist, the
786 calculated scholarship amount for a student participating in the
787 program must be based upon the grade level and school district
788 in which the student would have been enrolled as the total funds
789 per unweighted full-time equivalent in the Florida Education
790 Finance Program for a student in the basic exceptional student
791 education program pursuant to s. 1011.62(1)(c) and (d), plus a
792 per full-time equivalent share of funds for the categorical
793 programs established in s. 1011.62(5), (7)(a), (8), and (16), as
794 funded in the General Appropriations Act. For the categorical



203782

795 program established in s. 1011.62(8), the funds must be
796 allocated based on the school district's average exceptional
797 student education guaranteed allocation funds per exceptional
798 student education full-time equivalent student.

799 3. For a student with a Level IV or Level V matrix of
800 services, the calculated scholarship amount must be based upon
801 the school district to which the student would have been
802 assigned as the total funds per full-time equivalent for the
803 Level IV or Level V exceptional student education program
804 pursuant to s. 1011.62(1)(c)2.a. or b., plus a per-full time
805 equivalent share of funds for the categorical programs
806 established in s. 1011.62(5), (7)(a), and (16), as funded in the
807 General Appropriations Act.

808 4. For a student who received a Gardiner Scholarship
809 pursuant to former s. 1002.385 in the 2020-2021 school year, the
810 amount shall be the greater of the amount calculated pursuant to
811 subparagraph 2. or the amount the student received for the 2020-
812 2021 school year.

813 5. For a student who received a John M. McKay Scholarship
814 pursuant to former s. 1002.39 in the 2020-2021 school year, the
815 amount shall be the greater of the amount calculated pursuant to
816 subparagraph 2. or the amount the student received for the 2020-
817 2021 school year.

818 6. The organization must ~~provide the department with the~~
819 ~~documentation necessary to~~ verify the student's eligibility to
820 participate in the scholarship program at least 30 days before
821 each payment participation.

822 7.a. For renewing scholarship students, upon receiving the
823 verified list of eligible scholarship students, the department



824 shall release, from state funds only, the amount calculated
825 pursuant to subparagraph 1. to the organization for deposit into
826 the student's account in quarterly payments no later than August
827 1, November 1, February 1, and April 1 of each school year in
828 which the scholarship is in force.

829 b. For new scholarship students, upon receiving the
830 verified list of eligible scholarship students ~~documentation,~~
831 the department shall release, from state funds only, the amount
832 calculated pursuant to subparagraph 1. ~~student's scholarship~~
833 ~~funds~~ to the organization for deposit, ~~to be deposited~~ into the
834 student's account in quarterly payments ~~four equal amounts~~ no
835 later than September 1, November 1, February 1, and April 1 of
836 each school year in which the scholarship is in force.

837 8. If a scholarship student is attending an eligible
838 private school full time, the initial payment shall be made
839 after the organization's verification of admission acceptance,
840 and subsequent payments shall be made upon verification of
841 continued enrollment and attendance at the eligible private
842 school. Payments for tuition and fees for full-time enrollment
843 shall be made within 7 business days after approval by the
844 parent pursuant to paragraph (10) (b) and the private school
845 pursuant to paragraph (9) (b).

846 ~~9.8.~~ Accrued interest in the student's account is in
847 addition to, and not part of, the awarded funds. Program funds
848 include both the awarded funds and accrued interest.

849 ~~10.9.~~ The organization may develop a system for payment of
850 benefits by funds transfer, including, but not limited to, debit
851 cards, electronic payment cards, or any other means of payment
852 which the department deems to be commercially viable or cost-



853 effective. A student's scholarship award may not be reduced for
854 debit card or electronic payment fees. Commodities or services
855 related to the development of such a system must be procured by
856 competitive solicitation unless they are purchased from a state
857 term contract pursuant to s. 287.056.

858 ~~11.10.~~ An organization may not transfer any funds to an
859 account of a student determined to be eligible pursuant to
860 paragraph (3)(b) which has a balance in excess of \$50,000.

861 ~~12.11.~~ Moneys received pursuant to this section do not
862 constitute taxable income to the qualified student or the parent
863 of the qualified student.

864 (c) An organization may not submit a new scholarship
865 student for funding after February 1.

866 (d) Within 30 days after the release of state funds
867 pursuant to paragraphs (a) and (b), the eligible scholarship-
868 funding organization shall certify to the department the amount
869 of funds distributed for student scholarships. If the amount of
870 funds released by the department is more than the amount
871 distributed by the organization, the department is authorized to
872 adjust the amount of the overpayment in the subsequent quarterly
873 payment release.

874 (16) TRANSITION-TO-WORK PROGRAM.—A student with a
875 disability who is determined eligible pursuant to paragraph
876 (3)(b) who is at least 17 years, but not older than 22 years of
877 age and who has not received a high school diploma or
878 certificate of completion is eligible for enrollment in his or
879 her participating private school's transition-to-work program. A
880 transition-to-work program shall consist of academic
881 instruction, work skills training, and a volunteer or paid work



203782

882 experience.

883 (a) To offer a transition-to-work program, a participating
884 private school must:

885 1. Develop a transition-to-work program plan, which must
886 include a written description of the academic instruction and
887 work skills training students will receive and the goals for
888 students in the program.

889 2. Submit the transition-to-work program plan to the Office
890 of Independent Education and Parental Choice and consider any
891 guidance provided by the department pursuant to paragraph (8) (d)
892 relating to the plan.

893 3. Develop a personalized transition-to-work program plan
894 for each student enrolled in the program. The student's parent,
895 the student, and the school principal must sign the personalized
896 plan. The personalized plan must be submitted to the Office of
897 Independent Education and Parental Choice upon request by the
898 office.

899 4. Provide a release of liability form that must be signed
900 by the student's parent, the student, and a representative of
901 the business offering the volunteer or paid work experience.

902 5. Assign a case manager or job coach to visit the
903 student's job site on a weekly basis to observe the student and,
904 if necessary, provide support and guidance to the student.

905 6. Provide to the parent and student a quarterly report
906 that documents and explains the student's progress and
907 performance in the program.

908 7. Maintain accurate attendance and performance records for
909 the student.

910 (b) A student enrolled in a transition-to-work program



203782

911 must, at a minimum:

912 1. Receive 15 instructional hours at the participating
913 private school's physical facility, which must include academic
914 instruction and work skills training.

915 2. Participate in 10 hours of work at the student's
916 volunteer or paid work experience.

917 (c) To participate in a transition-to-work program, a
918 business must:

919 1. Maintain an accurate record of the student's performance
920 and hours worked and provide the information to the
921 participating private school.

922 2. Comply with all state and federal child labor laws.

923 Section 4. Paragraph (c) of subsection (1), paragraphs (b)
924 and (f) of subsection (2), subsection (3), paragraphs (a) and
925 (c) of subsection (4), paragraphs (c) through (i) and (l), (p),
926 (q), (t), (u), and (w) of subsection (6), subsections (7) and
927 (8), paragraphs (d), (e), (f), and (i) of subsection (9),
928 paragraph (b) of subsection (10), paragraphs (c), (f), and (h)
929 of subsection (11), and subsection (15) of section 1002.395,
930 Florida Statutes, are amended, and paragraph (y) is added to
931 subsection (6) and paragraph (i) is added to subsection (11) of
932 that section, to read:

933 1002.395 Florida Tax Credit Scholarship Program.—

934 (1) FINDINGS AND PURPOSE.—

935 (c) The purpose of this section is not to prescribe the
936 standards or curriculum for participating private schools. A
937 participating private school retains the authority to determine
938 its own standards and curriculum.

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



940 (b) "Choice navigator" means an individual who meets the
941 requirements of sub-subparagraph (6) (d) 4.h. ~~(6) (d) 2.h.~~ and who
942 provides consultations, at a mutually agreed upon location, on
943 the selection of, application for, and enrollment in educational
944 options addressing the academic needs of a student; curriculum
945 selection; and advice on career and postsecondary education
946 opportunities. However, nothing in this section authorizes a
947 choice navigator to oversee or exercise control over the
948 curricula or academic programs of a personalized education
949 program.

950 (f) "Eligible contribution" means a monetary contribution
951 from a taxpayer, subject to the restrictions provided in this
952 section, to an eligible nonprofit scholarship-funding
953 organization pursuant to this section and ss. 212.099, 212.1831,
954 and 212.1832, ~~and 1002.40.~~ The taxpayer making the contribution
955 may not designate a specific child as the beneficiary of the
956 contribution.

957 (3) PROGRAM; INITIAL SCHOLARSHIP ELIGIBILITY.—

958 (a) The Florida Tax Credit Scholarship Program is
959 established.

960 (b)1. A student is eligible for a Florida tax credit
961 scholarship under this section if the student:

962 a. Is a resident of this state or the dependent child of an
963 active duty member of the United States Armed Forces who has
964 received permanent change of station orders to this state or, at
965 the time of renewal, whose home of record or state of legal
966 residence is Florida; and

967 b. Is eligible to enroll in kindergarten through grade 12
968 in a public school in this state or received a scholarship under



969 the Hope Scholarship Program in the 2023-2024 school year.
970 2. Priority must be given in the following order:
971 a. A student whose household income level does not exceed
972 185 percent of the federal poverty level or who is in foster
973 care or out-of-home care.
974 b. A student whose household income level exceeds 185
975 percent of the federal poverty level, but does not exceed 400
976 percent of the federal poverty level.
977 (4) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for
978 a scholarship while he or she is:
979 (a) Enrolled full time in a public school, including, but
980 not limited to, the Florida School for the Deaf and the Blind,
981 the College-Preparatory Boarding Academy, the Florida School for
982 Competitive Academics, the Florida Virtual School, the Florida
983 Scholars Academy, a developmental research school authorized
984 under s. 1002.32, or a charter school authorized under this
985 chapter. For purposes of this paragraph, a 3- or 4-year-old
986 child who receives services funded through the Florida Education
987 Finance Program is considered a student enrolled full-time in a
988 public school;
989 (c) Receiving any other educational scholarship pursuant to
990 this chapter. However, an eligible public school student
991 receiving a scholarship under s. 1002.411 may receive a
992 scholarship for transportation pursuant to subparagraph
993 (6) (d) 4.;
994 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
995 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
996 organization:
997 (c) Must not have an owner or operator, as defined in



203782

998 subparagraph (2)(k)1., who owns or operates an eligible private
999 school that is participating in the scholarship program.

1000 (d)1. For the 2023-2024 school year, may fund no more than
1001 20,000 scholarships for students who are enrolled pursuant to
1002 paragraph (7)(b). The number of scholarships funded for such
1003 students may increase by 40,000 in each subsequent school year.
1004 This subparagraph is repealed July 1, 2027.

1005 2. Shall establish a process for parents who are in
1006 compliance with paragraph (7)(a) to renew their students'
1007 scholarships. Renewal applications for the 2025-2026 school year
1008 and thereafter must provide for a renewal timeline beginning
1009 February 1 of the prior school year and ending April 30 of the
1010 prior school year. A student's renewal is contingent upon an
1011 eligible private school providing confirmation of admission
1012 pursuant to subsection (8). The process must require that
1013 parents confirm that the scholarship is being renewed or
1014 declined by May 31.

1015 3. Shall establish a process that allows a parent to apply
1016 for a new scholarship. The process must be in a manner that
1017 creates a written or electronic record of the application
1018 request and the date of receipt of the application request. The
1019 process must require that parents confirm that the scholarship
1020 is being accepted or declined by a date set by the organization.

1021 4.2. Must establish and maintain separate scholarship
1022 empowerment accounts from eligible contributions for each
1023 eligible student. For each account, the organization must
1024 maintain a record of accrued interest retained in the student's
1025 account. The organization must verify that scholarship funds are
1026 used for:



203782

1027 a. Tuition and fees for full-time or part-time enrollment
1028 in an eligible private school.

1029 b. Transportation to a Florida public school in which a
1030 student is enrolled and that is different from the school to
1031 which the student was assigned or to a lab school as defined in
1032 s. 1002.32.

1033 c. Instructional materials, including digital materials and
1034 Internet resources.

1035 d. Curriculum as defined in s. 1002.394(2).

1036 e. Tuition and fees associated with full-time or part-time
1037 enrollment in a home education instructional program; an
1038 eligible postsecondary educational institution or a program
1039 offered by the postsecondary educational institution, unless the
1040 program is subject to s. 1009.25 or reimbursed pursuant to s.
1041 1009.30; an approved preapprenticeship program as defined in s.
1042 446.021(5) which is not subject to s. 1009.25 and complies with
1043 all applicable requirements of the Department of Education
1044 pursuant to chapter 1005; a private tutoring program authorized
1045 under s. 1002.43; a virtual program offered by a department-
1046 approved private online provider that meets the provider
1047 qualifications specified in s. 1002.45(2)(a); the Florida
1048 Virtual School as a private paying student; or an approved
1049 online course offered pursuant to s. 1003.499 or s. 1004.0961.

1050 f. Fees for nationally standardized, norm-referenced
1051 achievement tests, Advanced Placement Examinations, industry
1052 certification examinations, assessments related to postsecondary
1053 education, or other assessments.

1054 g. Contracted services provided by a public school or
1055 school district, including classes. A student who receives



1056 contracted services under this sub-subparagraph is not
1057 considered enrolled in a public school for eligibility purposes
1058 as specified in subsection (11) but rather attending a public
1059 school on a part-time basis as authorized under s. 1002.44.

1060 h. Tuition and fees for part-time tutoring services or fees
1061 for services provided by a choice navigator. Such services must
1062 be provided by a person who holds a valid Florida educator's
1063 certificate pursuant to s. 1012.56, a person who holds an
1064 adjunct teaching certificate pursuant to s. 1012.57, a person
1065 who has a bachelor's degree or a graduate degree in the subject
1066 area in which instruction is given, a person who has
1067 demonstrated a mastery of subject area knowledge pursuant to s.
1068 1012.56(5), or a person certified by a nationally or
1069 internationally recognized research-based training program as
1070 approved by the Department of Education. As used in this
1071 paragraph, the term "part-time tutoring services" does not
1072 qualify as regular school attendance as defined in s.
1073 1003.01(16)(e).

1074 (e) For students determined eligible pursuant to paragraph
1075 (7)(b), must:

1076 1. Establish a process for parents who are in compliance
1077 with subparagraph (7)(b)1. to apply for a new scholarship. New
1078 scholarship applications for the 2025-2026 school year and
1079 thereafter must provide for an application timeline beginning
1080 February 1 of the prior school year and ending April 30 of the
1081 prior school year. The process must require that parents confirm
1082 that the scholarship is being accepted or declined by May 31.

1083 2. Establish a process for parents who are in compliance
1084 with paragraph (7)(b) to renew their students' scholarships.



203782

1085 Renewal scholarship applications for the 2025-2026 school year
1086 and thereafter must provide for a renewal timeline beginning
1087 February 1 of the prior school year and ending April 30 of the
1088 prior school year. The process must require that parents confirm
1089 that the scholarship is being renewed or declined by May 31.

1090 3.1. Maintain a signed agreement from the parent which
1091 constitutes compliance with the attendance requirements under
1092 ss. 1003.01(16) and 1003.21(1).

1093 4.2. Receive eligible student test scores and, beginning
1094 with the 2027-2028 school year, by August 15, annually report
1095 test scores for students pursuant to paragraph (7)(b) to a state
1096 university pursuant to paragraph (9)(f).

1097 5.3. Provide parents with information, guidance, and
1098 support to create and annually update a student learning plan
1099 for their student. The organization must maintain the plan and
1100 allow parents to electronically submit, access, and revise the
1101 plan continuously.

1102 6.4. Upon submission by the parent of an annual student
1103 learning plan, fund a scholarship for a student determined
1104 eligible.

1105 (f) Must give first priority to eligible renewal students
1106 who received a scholarship from an eligible nonprofit
1107 scholarship-funding organization ~~or from the State of Florida~~
1108 during the previous school year. The eligible nonprofit
1109 scholarship-funding organization must fully apply and exhaust
1110 all funds available under this section and ~~s. 1002.40(11)(i)~~ for
1111 renewal scholarship awards before awarding any initial
1112 scholarships.

1113 (g) Must provide a new ~~renewal or initial~~ scholarship to an



203782

1114 eligible student on a first-come, first-served basis unless the
1115 student is seeking priority eligibility ~~qualifies for priority~~
1116 pursuant to subsection (3) ~~paragraph (f)~~.

1117 (h) ~~Each eligible nonprofit scholarship-funding~~
1118 ~~organization~~ Must refer any student eligible for a scholarship
1119 pursuant to this section who did not receive a renewal or
1120 initial scholarship based solely on the lack of available funds
1121 under this section ~~and s. 1002.40(11)(i)~~ to another eligible
1122 nonprofit scholarship-funding organization that may have funds
1123 available.

1124 (i) May not restrict or reserve scholarships for use at a
1125 particular eligible private school or provide scholarships to a
1126 child of an owner or operator as defined in subparagraph
1127 (2) (k) 1.

1128 (l)1. May use eligible contributions received pursuant to
1129 this section and ss. 212.099, 212.1831, and 212.1832, ~~and~~
1130 ~~1002.40~~ during the state fiscal year in which such contributions
1131 are collected for administrative expenses if the organization
1132 has operated as an eligible nonprofit scholarship-funding
1133 organization for at least the preceding 3 fiscal years and did
1134 not have any findings of material weakness or material
1135 noncompliance in its most recent audit under paragraph (o) or is
1136 in good standing in each state in which it administers a
1137 scholarship program and the audited financial statements for the
1138 preceding 3 fiscal years are free of material misstatements and
1139 going concern issues. Administrative expenses from eligible
1140 contributions may not exceed 3 percent of the total amount of
1141 all scholarships funded by an eligible scholarship-funding
1142 organization under this chapter. Such administrative expenses



1143 must be reasonable and necessary for the organization's
1144 management and distribution of scholarships funded under this
1145 chapter. Administrative expenses may include developing or
1146 contracting with rideshare programs or facilitating carpool
1147 strategies for recipients of a transportation scholarship under
1148 s. 1002.394. No funds authorized under this subparagraph shall
1149 be used for lobbying or political activity or expenses related
1150 to lobbying or political activity. Up to one-third of the funds
1151 authorized for administrative expenses under this subparagraph
1152 may be used for expenses related to the recruitment of
1153 contributions from taxpayers. An eligible nonprofit scholarship-
1154 funding organization may not charge an application fee.

1155 2. Must expend for annual or partial-year scholarships 100
1156 percent of any eligible contributions from the prior fiscal
1157 year.

1158 3.2. Must ~~expend~~ award for annual or partial-year
1159 scholarships an amount equal to or greater than 75 percent of
1160 all ~~estimated~~ net eligible contributions, as defined in
1161 subsection (2), ~~and all funds carried forward from the prior~~
1162 ~~state fiscal year~~ remaining after administrative expenses during
1163 the state fiscal year in which such eligible contributions are
1164 collected before funding any scholarships to students determined
1165 eligible pursuant to s. 1002.394(3)(a). No more than 25 percent
1166 of such net eligible contributions may be carried forward to the
1167 following state fiscal year. All amounts carried forward, for
1168 audit purposes, must be specifically identified for particular
1169 students, by student name and the name of the school to which
1170 the student is admitted, subject to the requirements of ss.
1171 1002.22 and 1002.221 and 20 U.S.C. s. 1232g, and the applicable



203782

1172 rules and regulations issued pursuant thereto. Any amounts
1173 carried forward shall be expended for annual or partial-year
1174 scholarships in the following state fiscal year. ~~No later than~~
1175 ~~September 30 of each year,~~ net Eligible contributions remaining
1176 on June 30 of each year that are in excess of the 25 percent
1177 that may be carried forward shall be used to provide
1178 scholarships to eligible students or transferred to other
1179 eligible nonprofit scholarship-funding organizations to provide
1180 scholarships for eligible students. All transferred funds must
1181 be deposited by each eligible nonprofit scholarship-funding
1182 organization receiving such funds into its scholarship account.
1183 All transferred amounts received by any eligible nonprofit
1184 scholarship-funding organization must be separately disclosed in
1185 the annual financial audit required under paragraph (o).

1186 ~~4.3-~~ Must, before granting a scholarship for an academic
1187 year, document each scholarship student's eligibility for that
1188 academic year. A scholarship-funding organization may not grant
1189 multiyear scholarships in one approval process.

1190 (p) Must prepare and submit quarterly reports to the
1191 Department of Education pursuant to paragraph (9)(i). In
1192 addition, an eligible nonprofit scholarship-funding organization
1193 must submit in a timely manner the verified list of eligible
1194 scholarship students and any information requested by the
1195 Department of Education relating to the scholarship program.

1196 (q)1.a. Must participate in the joint development of
1197 agreed-upon procedures during the 2009-2010 state fiscal year.
1198 The agreed-upon procedures must uniformly apply to all private
1199 schools and must determine, at a minimum, whether the private
1200 school has been verified as eligible by the Department of



1201 Education under s. 1002.421; has an adequate accounting system,
1202 system of financial controls, and process for deposit and
1203 classification of scholarship funds; and has properly expended
1204 scholarship funds for education-related expenses. During the
1205 development of the procedures, the participating scholarship-
1206 funding organizations shall specify guidelines governing the
1207 materiality of exceptions that may be found during the
1208 accountant's performance of the procedures. The procedures and
1209 guidelines shall be provided to private schools and the
1210 Commissioner of Education by March 15, 2011.

1211 b. Must participate in a joint review of the agreed-upon
1212 procedures and guidelines developed under sub-subparagraph a.,
1213 by February of each biennium, if the scholarship-funding
1214 organization provided more than \$250,000 in scholarship funds
1215 under this chapter during the state fiscal year preceding the
1216 biennial review. If the procedures and guidelines are revised,
1217 the revisions must be provided to private schools and the
1218 Commissioner of Education by March 15 of the year in which the
1219 revisions were completed. The revised agreed-upon procedures and
1220 guidelines shall take effect the subsequent school year.

1221 c. Must monitor the compliance of a participating private
1222 school with s. 1002.421(1)(q) if the scholarship-funding
1223 organization provided the majority of the scholarship funding to
1224 the school. For each participating private school subject to s.
1225 1002.421(1)(q), the appropriate scholarship-funding organization
1226 shall annually notify the Commissioner of Education by October
1227 30 of:

1228 (I) A private school's failure to submit a report required
1229 under s. 1002.421(1)(q); or



1230 (II) Any material exceptions set forth in the report
1231 required under s. 1002.421(1)(q).

1232 2. Must seek input from the accrediting associations that
1233 are members of the Florida Association of Academic Nonpublic
1234 Schools and the Department of Education when jointly developing
1235 the agreed-upon procedures and guidelines under sub-subparagraph
1236 1.a. and conducting a review of those procedures and guidelines
1237 under sub-subparagraph 1.b.

1238 (t) 1. Must develop a ~~participate in the joint development~~
1239 ~~of agreed-upon purchasing handbook that includes policies~~
1240 ~~guidelines~~ for authorized uses of scholarship funds under
1241 paragraph (d) and s. 1002.394(4)(a) this chapter. The handbook
1242 must include, at a minimum, a routinely updated list of
1243 prohibited items and services, and items or services that
1244 require preauthorization or additional documentation. By August
1245 1, 2024 ~~December 31, 2023,~~ and by each July 1 ~~December 31~~
1246 thereafter, the purchasing handbook ~~guidelines~~ must be provided
1247 to the Commissioner of Education and published on the eligible
1248 nonprofit scholarship-funding organization's website. ~~Published~~
1249 ~~purchasing guidelines shall remain in effect until there is~~
1250 ~~unanimous agreement to revise the guidelines, and the~~ Any
1251 revisions must be provided to the commissioner and published on
1252 the organization's website within 30 days after such revisions.

1253 2. The organization shall assist the Florida Center for
1254 Students with Unique Abilities established under s. 1004.6495
1255 with the development of purchasing guidelines, which must
1256 include a routinely updated list of prohibited items and
1257 services, and items or services for which preauthorization or
1258 additional documentation is required, for authorized uses of



1259 scholarship funds under s. 1002.394(4)(b) and publish the
1260 guidelines on the organization's website.

1261 3. If the organization fails to submit the purchasing
1262 handbook required by subparagraph 1., the Department of
1263 Education may assess a financial penalty, not to exceed \$10,000,
1264 as prescribed by State Board of Education rule. This
1265 subparagraph expires July 1, 2026.

1266 (u) May permit eligible students to use program funds for
1267 the purposes specified in paragraph (d), as authorized in the
1268 organization's purchasing handbook, by paying for the authorized
1269 use directly, then submitting a reimbursement request to the
1270 eligible nonprofit scholarship-funding organization. However, an
1271 eligible nonprofit scholarship-funding organization may require
1272 the use of an online platform for direct purchases of products
1273 so long as such use does not limit a parent's choice of
1274 curriculum or academic programs. If a parent purchases a product
1275 identical to one offered by an organization's online platform
1276 for a lower price, the organization shall reimburse the parent
1277 the cost of the product.

1278 (w) Shall commit scholarship funds on behalf of the student
1279 for tuition and fees for which the parent is responsible for
1280 payment at the participating private school before using
1281 scholarship empowerment ~~empowerment~~ account funds for additional authorized
1282 uses under paragraph (d).

1283 (y) Must establish a process to collect input and feedback
1284 from parents, private schools, and providers before implementing
1285 substantial modifications or enhancements to the reimbursement
1286 process.

1287



203782

1288 Information and documentation provided to the Department of
1289 Education and the Auditor General relating to the identity of a
1290 taxpayer that provides an eligible contribution under this
1291 section shall remain confidential at all times in accordance
1292 with s. 213.053.

1293 (7) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
1294 PARTICIPATION.—

1295 (a) A parent who applies for a scholarship whose student
1296 will be enrolled full time in an eligible ~~a~~ private school must:

1297 1. Select an eligible private school and apply for the
1298 admission of his or her child.

1299 2. Request the scholarship by the date established by the
1300 organization in a manner that creates a written or electronic
1301 record of the request and the date of receipt of the request.

1302 3.a. Beginning with new applications for the 2025-2026
1303 school year and thereafter, notify the organization by a date
1304 set by the organization that the scholarship is being accepted
1305 or declined.

1306 b. Beginning with renewal applications for the 2025-2026
1307 school year and thereafter, notify the organization by May 31
1308 that the scholarship is being renewed or declined.

1309 ~~4.2.~~ Inform the applicable ~~child's~~ school district when the
1310 parent withdraws his or her student from a public school ~~child~~
1311 to attend an eligible private school.

1312 ~~5.3.~~ Require his or her student participating in the
1313 program to remain in attendance at the eligible private school
1314 throughout the school year unless excused by the school for
1315 illness or other good cause and comply with the private school's
1316 published policies.



203782

1317 ~~6.4.~~ Meet with the eligible private school's principal or
1318 the principal's designee to review the school's academic
1319 programs and policies, specialized services, code of student
1320 conduct, and attendance policies before enrollment ~~in the~~
1321 ~~private school.~~

1322 ~~7.5.~~ Require his or her student participating in the
1323 program to take the norm-referenced assessment offered by the
1324 participating private school. The parent may also choose to have
1325 the student participate in the statewide assessments pursuant to
1326 s. 1008.22. If the parent requests that the student
1327 participating in the ~~scholarship~~ program take statewide
1328 assessments pursuant to s. 1008.22 and the participating private
1329 school has not chosen to offer and administer the statewide
1330 assessments, the parent is responsible for transporting the
1331 student to the assessment site designated by the school
1332 district.

1333 ~~8.6.~~ Approve each payment before the scholarship funds may
1334 be deposited by funds transfer. The parent may not designate any
1335 entity or individual associated with the participating private
1336 school as the parent's attorney in fact to approve a funds
1337 transfer. A participant who fails to comply with this paragraph
1338 forfeits the scholarship.

1339 ~~9.7.~~ Authorize the nonprofit scholarship-funding
1340 organization to access information needed for income eligibility
1341 determination and verification held by other state or federal
1342 agencies, including the Department of Revenue, the Department of
1343 Children and Families, the Department of Education, the
1344 Department of Commerce ~~Economic Opportunity~~, and the Agency for
1345 Health Care Administration, for students seeking priority



1346 eligibility.

1347 10.8- Agree to have the organization commit scholarship
1348 funds on behalf of his or her student for tuition and fees for
1349 which the parent is responsible for payment at the participating
1350 private school before using scholarship empowerment account
1351 funds for additional authorized uses under paragraph (6) (d). A
1352 parent is responsible for all eligible expenses in excess of the
1353 amount of the scholarship.

1354 11. Comply with the scholarship application and renewal
1355 processes and requirements established by the organization.

1356 (b) A parent whose student will not be enrolled full time
1357 in a public or private school must:

1358 1. Apply to an eligible nonprofit scholarship-funding
1359 organization to participate in the program as a personalized
1360 education student by a date set by the organization. The request
1361 must be communicated directly to the organization in a manner
1362 that creates a written or electronic record of the request and
1363 the date of receipt of the request. Beginning with new and
1364 renewal applications for the 2025-2026 school year and
1365 thereafter, notify the organization by May 31 that the
1366 scholarship is being accepted, renewed, or declined.

1367 2. Sign an agreement with the organization and annually
1368 submit a sworn compliance statement to the organization to
1369 satisfy or maintain program eligibility, including eligibility
1370 to receive and spend program payments, by:

1371 a. Affirming that the program funds are used only for
1372 authorized purposes serving the student's educational needs, as
1373 described in paragraph (6) (d), and that they will not receive a
1374 payment, refund, or rebate of any funds provided under this



203782

1375 section.

1376 b. Affirming that the parent is responsible for all
1377 eligible expenses in excess of the amount of the scholarship and
1378 for the education of his or her student.

1379 c. Submitting a student learning plan to the organization
1380 and revising the plan at least annually before program renewal.

1381 d. Requiring his or her student to take a nationally norm-
1382 referenced test identified by the Department of Education, or a
1383 statewide assessment under s. 1008.22, and provide assessment
1384 results to the organization before the student's program
1385 renewal.

1386 e. Complying with the scholarship application and renewal
1387 processes and requirements established by the organization
1388 ~~Renewing participation in the program each year.~~ A student whose
1389 participation in the program is not renewed may continue to
1390 spend scholarship funds that are in his or her account from
1391 prior years unless the account must be closed pursuant to s.
1392 1002.394(5)(a)2.

1393 f. Procuring the services necessary to educate the student.
1394 When the student receives a scholarship, the district school
1395 board is not obligated to provide the student with a free
1396 appropriate public education.

1397
1398 For purposes of this paragraph, full-time enrollment does not
1399 include enrollment at a private school that addresses regular
1400 and direct contact with teachers through the student learning
1401 plan in accordance with s. 1002.421(1)(i).

1402 (c) A parent may not apply for multiple scholarships under
1403 this section and s. 1002.394 for an individual student at the



203782

1404 same time.

1405

1406 An eligible nonprofit scholarship-funding organization may not
1407 further regulate, exercise control over, or require
1408 documentation beyond the requirements of this subsection unless
1409 the regulation, control, or documentation is necessary for
1410 participation in the program.

1411 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible
1412 private school may be sectarian or nonsectarian and must:

1413 (a) Comply with all requirements for private schools
1414 participating in state school choice scholarship programs
1415 pursuant to s. 1002.421.

1416 (b) Provide to the organization all documentation required
1417 for a student's participation, including confirmation of the
1418 student's admission to the private school, the private school's
1419 and student's fee schedules, and any other information required
1420 by the organization to process scholarship payment pursuant to
1421 paragraph (11)(c). Such information must be provided by the
1422 deadlines established by the organization and in accordance with
1423 the requirements of this section. A student is not eligible to
1424 receive a quarterly scholarship payment if the private school
1425 fails to meet the deadline.

1426 (c) ~~(b)~~1. Annually administer or make provision for students
1427 participating in the scholarship program in grades 3 through 10
1428 to take one of the nationally norm-referenced tests identified
1429 by the department of ~~Education~~ or the statewide assessments
1430 pursuant to s. 1008.22. Students with disabilities for whom
1431 standardized testing is not appropriate are exempt from this
1432 requirement. A participating private school must report a



203782

1433 student's scores to the parent. A participating private school
1434 must annually report by August 15 the scores of all
1435 participating students to a state university described in
1436 paragraph (9) (f).

1437 2. Administer the statewide assessments pursuant to s.
1438 1008.22 if a participating private school chooses to offer the
1439 statewide assessments. A participating private school may choose
1440 to offer and administer the statewide assessments to all
1441 students who attend the participating private school in grades 3
1442 through 10 and must submit a request in writing to the
1443 Department of Education by March 1 of each year in order to
1444 administer the statewide assessments in the subsequent school
1445 year.

1446
1447 If a participating private school fails to meet the requirements
1448 of this subsection or s. 1002.421, the commissioner may
1449 determine that the participating private school is ineligible to
1450 participate in the scholarship program.

1451 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of
1452 Education shall:

1453 (d) Notify eligible nonprofit scholarship-funding
1454 organizations of the deadlines for submitting the verified list
1455 of eligible scholarship students; cross-check the verified list
1456 of ~~participating~~ scholarship students with the public school
1457 enrollment lists to avoid duplication; and, when the Florida
1458 Education Finance Program is recalculated, adjust the amount of
1459 state funds allocated to school districts through the Florida
1460 Education Finance Program based upon the results of the cross-
1461 check.



1462 (e) Maintain and annually publish a list of nationally
1463 norm-referenced tests identified for purposes of satisfying the
1464 testing requirement in subparagraph (8)(c)1. ~~(8)(b)1.~~ The tests
1465 must meet industry standards of quality in accordance with State
1466 Board of Education rule.

1467 (f) Issue a project grant award to a state university, to
1468 which participating private schools and eligible nonprofit
1469 scholarship-funding organizations must report the scores of
1470 participating students on the nationally norm-referenced tests
1471 or the statewide assessments administered in grades 3 through
1472 10. The project term is 2 years, and the amount of the project
1473 is up to \$250,000 per year. The project grant award must be
1474 reissued in 2-year intervals in accordance with this paragraph.

1475 1. The state university must annually report to the
1476 Department of Education on the student performance of
1477 participating students and, beginning with the 2027-2028 school
1478 year, on the performance of personalized education students:

1479 a. On a statewide basis. The report shall also include, to
1480 the extent possible, a comparison of scholarship students'
1481 performance to the statewide student performance of public
1482 school students with socioeconomic backgrounds similar to those
1483 of students participating in the scholarship program. To
1484 minimize costs and reduce time required for the state
1485 university's analysis and evaluation, the Department of
1486 Education shall coordinate with the state university to provide
1487 data to the state university in order to conduct analyses of
1488 matched students from public school assessment data and
1489 calculate control group student performance using an agreed-upon
1490 methodology with the state university; and



1491 b. On an individual school basis for students enrolled full
1492 time in a private school. The annual report must include student
1493 performance for each participating private school in which
1494 enrolled students in the private school participated in a
1495 scholarship program under this section ~~or~~ s. 1002.394(12)(a)
1496 ~~or s. 1002.40~~ in the prior school year. The report shall be
1497 according to each participating private school, and for
1498 participating students, in which there are at least 30
1499 participating students who have scores for tests administered.
1500 If the state university determines that the 30-participating-
1501 student cell size may be reduced without disclosing personally
1502 identifiable information, as described in 34 C.F.R. s. 99.12, of
1503 a participating student, the state university may reduce the
1504 participating-student cell size, but the cell size must not be
1505 reduced to less than 10 participating students. The department
1506 shall provide each participating private school's prior school
1507 year's student enrollment information to the state university no
1508 later than June 15 of each year, or as requested by the state
1509 university.

1510 2. The sharing and reporting of student performance data
1511 under this paragraph must be in accordance with requirements of
1512 ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g, the Family
1513 Educational Rights and Privacy Act, and the applicable rules and
1514 regulations issued pursuant thereto, and shall be for the sole
1515 purpose of creating the annual report required by subparagraph
1516 1. All parties must preserve the confidentiality of such
1517 information as required by law. The annual report must not
1518 disaggregate data to a level that will identify individual
1519 participating schools, except as required under sub-subparagraph



203782

1520 1.b., or disclose the academic level of individual students.

1521 3. The annual report required by subparagraph 1. shall be
1522 published by the Department of Education on its website.

1523 (i) Require quarterly reports by an eligible nonprofit
1524 scholarship-funding organization regarding the number of
1525 students participating in the ~~scholarship~~ program;7 the private
1526 schools at which the students are enrolled; the number of
1527 scholarship applications received, the number of applications
1528 processed within 30 days after receipt, and the number of
1529 incomplete applications received; data related to reimbursement
1530 submissions, including the average number of days for a
1531 reimbursement to be reviewed and the average number of days for
1532 a reimbursement to be approved; any parent input and feedback
1533 collected regarding the program;7 and any other information
1534 deemed necessary by the Department of Education.

1535 (10) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.—

1536 (b) Upon the request of the Department of Education, a
1537 school district shall coordinate with the department to provide
1538 to a participating private school the statewide assessments
1539 administered under s. 1008.22 and any related materials for
1540 administering the assessments. A school district is responsible
1541 for implementing test administrations at a participating private
1542 school, including the:

1543 1. Provision of training for participating private school
1544 staff on test security and assessment administration procedures;

1545 2. Distribution of testing materials to a participating
1546 private school;

1547 3. Retrieval of testing materials from a participating
1548 private school;



1549 4. Provision of the required format for a participating
1550 private school to submit information to the district for test
1551 administration and enrollment purposes; and

1552 5. Provision of any required assistance, monitoring, or
1553 investigation at a participating private school.

1554 (11) SCHOLARSHIP AMOUNT AND PAYMENT.—

1555 (c) If a scholarship student is attending an eligible
1556 private school full time, the initial payment shall be made
1557 after the organization's verification of admission acceptance,
1558 and subsequent payments shall be made upon verification of
1559 continued enrollment and attendance at the eligible private
1560 school. Payments shall be made within 7 business days after
1561 approval by the parent pursuant to paragraph (7) (a) and the
1562 private school pursuant to paragraph (8) (b) An eligible
1563 nonprofit scholarship funding organization shall obtain
1564 verification from the private school of a student's continued
1565 attendance at the school for each period covered by a
1566 scholarship payment.

1567 (f) A scholarship awarded to an eligible student shall
1568 remain in force until:

1569 1. The organization determines that the student is not
1570 eligible for program renewal;

1571 2. The Commissioner of Education suspends or revokes
1572 program participation or use of funds;

1573 3. The student's parent has forfeited participation in the
1574 program for failure to comply with subsection (7);

1575 4. The student who uses the scholarship for full-time
1576 tuition and fees at an eligible private school pursuant to
1577 paragraph (7) (a) enrolls full time in a public school. However,



203782

1578 if a student enters a Department of Juvenile Justice detention
1579 center for a period of no more than 21 days, the student is not
1580 considered to have returned to a public school on a full-time
1581 basis for that purpose; or

1582 5. The student graduates from high school or attains 21
1583 years of age, whichever occurs first.

1584 (h) A student's scholarship account must be closed and any
1585 remaining funds shall revert to the state after:

1586 1. Denial or revocation of program eligibility by the
1587 commissioner for fraud or abuse, including, but not limited to,
1588 the student or student's parent accepting any payment, refund,
1589 or rebate, in any manner, from a provider of any services
1590 received pursuant to paragraph (6)(d); ~~or~~

1591 2. Two consecutive fiscal years in which an account has
1592 been inactive; or

1593 3. The student remains unenrolled in an eligible private
1594 school for 30 days while receiving a scholarship that requires
1595 full-time enrollment.

1596 (i) Moneys received pursuant to this section do not
1597 constitute taxable income to the qualified student or the parent
1598 of the qualified student.

1599 (15) NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS;
1600 APPLICATION.—In order to participate in the scholarship program
1601 created under this section, a charitable organization that seeks
1602 to be a nonprofit scholarship-funding organization must submit
1603 an application for initial approval or renewal to the Office of
1604 Independent Education and Parental Choice. ~~The office shall~~
1605 ~~provide at least two application periods in which~~ Charitable
1606 organizations may apply at any time to participate in the



1607 program.

1608 (a) An application for initial approval must include:

1609 1. A copy of the organization's incorporation documents and

1610 registration with the Division of Corporations of the Department

1611 of State.

1612 2. A copy of the organization's Internal Revenue Service

1613 determination letter as a s. 501(c)(3) not-for-profit

1614 organization.

1615 3. A description of the organization's financial plan that

1616 demonstrates sufficient funds to operate throughout the school

1617 year.

1618 4. A description of the geographic region that the

1619 organization intends to serve and an analysis of the demand and

1620 unmet need for eligible students in that area.

1621 5. The organization's organizational chart.

1622 6. A description of the criteria and methodology that the

1623 organization will use to evaluate scholarship eligibility.

1624 7. A description of the application process, including

1625 deadlines and any associated fees.

1626 8. A description of the deadlines for attendance

1627 verification and scholarship payments.

1628 9. A copy of the organization's policies on conflict of

1629 interest and whistleblowers.

1630 10. A copy of a surety bond or letter of credit to secure

1631 the faithful performance of the obligations of the eligible

1632 nonprofit scholarship-funding organization in accordance with

1633 this section in an amount equal to 25 percent of the scholarship

1634 funds anticipated for each school year or \$100,000, whichever is

1635 greater. The surety bond or letter of credit must specify that



1636 any claim against the bond or letter of credit may be made only
1637 by an eligible nonprofit scholarship-funding organization to
1638 provide scholarships to and on behalf of students who would have
1639 had scholarships funded if it were not for the diversion of
1640 funds giving rise to the claim against the bond or letter of
1641 credit.

1642 (b) In addition to the information required by
1643 subparagraphs (a)1.-9., an application for renewal must include:

1644 1. A surety bond or letter of credit to secure the faithful
1645 performance of the obligations of the eligible nonprofit
1646 scholarship-funding organization in accordance with this section
1647 equal to the amount of undisbursed donations held by the
1648 organization based on the annual report submitted pursuant to
1649 paragraph (6) (o). The amount of the surety bond or letter of
1650 credit must be at least \$100,000, but not more than \$25 million.
1651 The surety bond or letter of credit must specify that any claim
1652 against the bond or letter of credit may be made only by an
1653 eligible nonprofit scholarship-funding organization to provide
1654 scholarships to and on behalf of students who would have had
1655 scholarships funded if it were not for the diversion of funds
1656 giving rise to the claim against the bond or letter of credit.

1657 2. The organization's completed Internal Revenue Service
1658 Form 990 submitted no later than November 30 of the year before
1659 the school year that the organization intends to offer the
1660 scholarships, notwithstanding the department's application
1661 deadline.

1662 3. A copy of the statutorily required audit to the
1663 Department of Education and Auditor General.

1664 4. An annual report that includes:



1665 a. The number of students who completed applications, by
1666 county and by grade.

1667 b. The number of students who were approved for
1668 scholarships, by county and by grade.

1669 c. The number of students who received funding for
1670 scholarships within each funding category, by county and by
1671 grade.

1672 d. The amount of funds received, the amount of funds
1673 distributed in scholarships, and an accounting of remaining
1674 funds and the obligation of those funds.

1675 e. A detailed accounting of how the organization spent the
1676 administrative funds allowable under paragraph (6) (1).

1677 f. Documentation of compliance with the requirements of
1678 paragraph (6) (t).

1679
1680 ===== T I T L E A M E N D M E N T =====

1681 And the title is amended as follows:

1682 Delete lines 21 - 74

1683 and insert:

1684 Program; providing that transition services are a
1685 coordinated set of specified activities; authorizing
1686 funds to be used for certain prekindergarten programs;
1687 providing additional criteria for the closure of
1688 scholarship accounts and the reversion of funds to the
1689 state; prohibiting certain eligible students from
1690 enrolling in public schools; providing an exemption to
1691 a prohibition against receiving other educational
1692 scholarships; revising the information that such
1693 organizations must include in their quarterly reports;



1694 authorizing the Department of Education to provide
1695 guidance to certain private schools; revising the
1696 documentation that private schools must provide to
1697 such organizations; revising the process for parents
1698 to provide certain notification to such organizations;
1699 prohibiting a parent from applying for multiple
1700 scholarships under specified programs for a single
1701 student at the same time; requiring such organizations
1702 to establish certain processes; requiring such
1703 organizations to submit specified information to the
1704 department; deleting a requirement that certain
1705 students be placed on a wait list; requiring such
1706 organizations to provide certain notification to
1707 parents; revising provisions relating to a specified
1708 administrative fee; revising provisions relating to
1709 increasing the number of certain scholarships;
1710 revising provisions relating to the payment and
1711 disbursement of funds; amending s. 1002.395, F.S.;
1712 revising eligibility requirements for the Florida Tax
1713 Credit Scholarship Program; prohibiting certain
1714 eligible students from enrolling in public schools;
1715 providing an exemption to a prohibition against
1716 receiving other educational scholarships; revising the
1717 process for parents to provide certain notification to
1718 such organizations; prohibiting a parent from applying
1719 for multiple scholarships under specified programs for
1720 a single student at the same time; requiring such
1721 organizations to establish certain processes;
1722 requiring organizations to develop a purchasing



1723 handbook by a specified date; specifying minimum
1724 requirements for the handbook; requiring such
1725 organizations to assist the Florida Center for
1726 Students with Unique Abilities with the development of
1727 specified guidelines and to publish such guidelines on
1728 their websites; authorizing the State Board of
1729 Education to assess a financial penalty to an
1730 organization in specified circumstances; revising
1731 department notification requirements; revising the
1732 information that such organizations must include in
1733 their quarterly reports; revising provisions relating
1734 to the payment and disbursement of funds; authorizing
1735 a charitable organization to apply at any time to
1736 participate in the program as a scholarship-funding
1737 organization; requiring a renewing organization to
1738 provide documentation of compliance with specified
1739 requirements; amending s. 1002.40, F.S.; revising