

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER

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1 Committee/Subcommittee hearing bill: Education & Employment  
2 Committee

3 Representative Franklin offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 246-1890 and insert:

7 Section 3. Subsection (3) of section 1002.01, Florida  
8 Statutes, is amended to read:

9 1002.01 Definitions.—

10 (3) A "private school" is a nonpublic school defined as an  
11 individual, association, copartnership, or corporation, or  
12 department, division, or section of such organizations, that  
13 designates itself as an educational center that includes  
14 kindergarten or a higher grade or as an elementary, secondary,  
15 business, technical, or trade school below college level or any  
16 organization that provides instructional services in a

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17 traditional classroom setting or through virtual means from a  
18 remote location that meet the intent of s. 1003.01(16) or that  
19 gives preemployment or supplementary training in technology or  
20 in fields of trade or industry or that offers academic,  
21 literary, or career training below college level, or any  
22 combination of the above, including an institution that performs  
23 the functions of the above schools through correspondence or  
24 extension, except those licensed under the provisions of chapter  
25 1005. A private school may be a parochial, religious,  
26 denominational, for-profit, or nonprofit school. This definition  
27 does not include home education programs conducted in accordance  
28 with s. 1002.41.

29 Section 4. Subsections (3) and (4), paragraphs (a), (b),  
30 and (c) of subsection (5), paragraphs (a), (c), and (d) of  
31 subsection (6), paragraph (d) of subsection (7), paragraph (a)  
32 of subsection (8), paragraph (b) of subsection (9), and  
33 subsections (10), (11), (12), and (16) of section 1002.394,  
34 Florida Statutes, as amended by chapter 2023-250, Laws of  
35 Florida, are amended, and paragraph (d) is added to subsection  
36 (8) of that section, to read:

37 1002.394 The Family Empowerment Scholarship Program.—

38 (3) SCHOLARSHIP ELIGIBILITY.—

39 (a)1. A parent of a student may apply for ~~request~~ and  
40 receive from the state a scholarship for the purposes specified  
41 in paragraph (4)(a) if the student:

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42        a. Is a resident of this state or the dependent child of  
43 an active duty member of the United States Armed Forces who has  
44 received permanent change of station orders to this state; and

45        b. Is eligible to enroll in kindergarten through grade 12  
46 in a public school in this state or received a scholarship under  
47 the Hope Scholarship Program in the 2023-2024 school year.

48        2. Priority must be given in the following order:

49        a. A student whose household income level does not exceed  
50 185 percent of the federal poverty level or who is in foster  
51 care or out-of-home care.

52        b. A student whose household income level exceeds 185  
53 percent of the federal poverty level, but does not exceed 400  
54 percent of the federal poverty level.

55        (b) A parent of a student with a disability may apply for  
56 ~~request~~ and receive from the state a scholarship for the  
57 purposes specified in paragraph (4) (b) if the student:

58        1. Is a resident of this state or the dependent child of  
59 an active duty member of the United States Armed Forces who has  
60 received permanent change of station orders to this state or, at  
61 the time of renewal, whose home of record or state of legal  
62 residence is Florida;

63        2. Is 3 or 4 years of age during ~~on or before September 1~~  
64 ~~of~~ the year in which the student applies for program  
65 participation or is eligible to enroll in kindergarten through  
66 grade 12 in a public school in this state;

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- 67           3. Has a disability as defined in subsection (2); and  
68           4. Is the subject of an IEP written in accordance with  
69 rules of the State Board of Education or with the applicable  
70 rules of another state or has received a diagnosis of a  
71 disability from a physician who is licensed under chapter 458 or  
72 chapter 459, a psychologist who is licensed under chapter 490,  
73 or a physician who holds an active license issued by another  
74 state or territory of the United States, the District of  
75 Columbia, or the Commonwealth of Puerto Rico.

76           ~~(c) An approved student who does not receive a scholarship~~  
77 ~~must be placed on the wait list in the order in which the~~  
78 ~~student is approved. An eligible student who does not receive a~~  
79 ~~scholarship within the fiscal year must be retained on the wait~~  
80 ~~list for the subsequent year.~~

81           (4) AUTHORIZED USES OF PROGRAM FUNDS.—

82           (a) Program funds awarded to a student determined eligible  
83 pursuant to paragraph (3) (a) may be used for:

- 84           1. Tuition and fees at an eligible private school.  
85           2. Transportation to a Florida public school in which a  
86 student is enrolled and that is different from the school to  
87 which the student was assigned or to a lab school as defined in  
88 s. 1002.32.

89           3. Instructional materials, including digital materials  
90 and Internet resources. Equipment used as instructional

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91 materials may only be purchased for subjects in language arts  
92 and reading, mathematics, social studies, and science.

93 4. Curriculum as defined in subsection (2).

94 5. Tuition and fees associated with full-time or part-time  
95 enrollment in an eligible postsecondary educational institution  
96 or a program offered by the postsecondary educational  
97 institution, unless the program is subject to s. 1009.25 or  
98 reimbursed pursuant to s. 1009.30; an approved preapprenticeship  
99 program as defined in s. 446.021(5) which is not subject to s.  
100 1009.25 and complies with all applicable requirements of the  
101 department pursuant to chapter 1005; a private tutoring program  
102 authorized under s. 1002.43; a virtual program offered by a  
103 department-approved private online provider that meets the  
104 provider qualifications specified in s. 1002.45(2)(a); the  
105 Florida Virtual School as a private paying student; or an  
106 approved online course offered pursuant to s. 1003.499 or s.  
107 1004.0961.

108 6. Fees for nationally standardized, norm-referenced  
109 achievement tests, Advanced Placement Examinations, industry  
110 certification examinations, assessments related to postsecondary  
111 education, or other assessments.

112 7. Contracted services provided by a public school or  
113 school district, including classes. A student who receives  
114 contracted services under this subparagraph is not considered  
115 enrolled in a public school for eligibility purposes as

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116 specified in subsection (6) but rather attending a public school  
117 on a part-time basis as authorized under s. 1002.44.

118 8. Tuition and fees for part-time tutoring services or  
119 fees for services provided by a choice navigator. Such services  
120 must be provided by a person who holds a valid Florida  
121 educator's certificate pursuant to s. 1012.56, a person who  
122 holds an adjunct teaching certificate pursuant to s. 1012.57, a  
123 person who has a bachelor's degree or a graduate degree in the  
124 subject area in which instruction is given, a person who has  
125 demonstrated a mastery of subject area knowledge pursuant to s.  
126 1012.56(5), or a person certified by a nationally or  
127 internationally recognized research-based training program as  
128 approved by the department. As used in this subparagraph, the  
129 term "part-time tutoring services" does not qualify as regular  
130 school attendance as defined in s. 1003.01(16)(e).

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

134 1. Instructional materials, including digital devices,  
135 digital periphery devices, and assistive technology devices that  
136 allow a student to access instruction or instructional content  
137 and training on the use of and maintenance agreements for these  
138 devices.

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

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

143 a. Applied behavior analysis services as provided in ss.  
144 627.6686 and 641.31098.

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

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

148 d. Services provided by physical therapists as defined in  
149 s. 486.021(8).

150 e. Services provided by listening and spoken language  
151 specialists and an appropriate acoustical environment for a  
152 child who has a hearing impairment, including deafness, and who  
153 has received an implant or assistive hearing device.

154 4. Tuition and fees associated with full-time or part-time  
155 enrollment in a home education program; an eligible private  
156 school; an eligible postsecondary educational institution or a  
157 program offered by the postsecondary educational institution,  
158 unless the program is subject to s. 1009.25 or reimbursed  
159 pursuant to s. 1009.30; an approved preapprenticeship program as  
160 defined in s. 446.021(5) which is not subject to s. 1009.25 and  
161 complies with all applicable requirements of the department  
162 pursuant to chapter 1005; a private tutoring program authorized  
163 under s. 1002.43; a virtual program offered by a department-  
164 approved private online provider that meets the provider

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165 qualifications specified in s. 1002.45(2)(a); the Florida  
166 Virtual School as a private paying student; or an approved  
167 online course offered pursuant to s. 1003.499 or s. 1004.0961.

168 5. Fees for nationally standardized, norm-referenced  
169 achievement tests, Advanced Placement Examinations, industry  
170 certification examinations, assessments related to postsecondary  
171 education, or other assessments.

172 6. Contributions to the Stanley G. Tate Florida Prepaid  
173 College Program pursuant to s. 1009.98 or the Florida College  
174 Savings Program pursuant to s. 1009.981 for the benefit of the  
175 eligible student.

176 7. Contracted services provided by a public school or  
177 school district, including classes. A student who receives  
178 services under a contract under this paragraph is not considered  
179 enrolled in a public school for eligibility purposes as  
180 specified in subsection (6) but rather attending a public school  
181 on a part-time basis as authorized under s. 1002.44.

182 8. Tuition and fees for part-time tutoring services or  
183 fees for services provided by a choice navigator. Such services  
184 must be provided by a person who holds a valid Florida  
185 educator's certificate pursuant to s. 1012.56, a person who  
186 holds an adjunct teaching certificate pursuant to s. 1012.57, a  
187 person who has a bachelor's degree or a graduate degree in the  
188 subject area in which instruction is given, a person who has  
189 demonstrated a mastery of subject area knowledge pursuant to s.



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190 1012.56(5), or a person certified by a nationally or  
191 internationally recognized research-based training program as  
192 approved by the department. As used in this subparagraph, the  
193 term "part-time tutoring services" does not qualify as regular  
194 school attendance as defined in s. 1003.01(16)(e).

195 9. Fees for specialized summer education programs.

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

197 11. Transition services provided by job coaches.

198 Transition services are a coordinated set of activities which  
199 are focused on improving the academic and functional achievement  
200 of a student with a disability to facilitate the student's  
201 movement from school to postschool activities and are based on  
202 the student's needs.

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

206 13. Tuition and fees associated with programs offered by  
207 Voluntary Prekindergarten Education Program providers approved  
208 pursuant to s. 1002.55, ~~and~~ school readiness providers approved  
209 pursuant to s. 1002.88, and prekindergarten programs offered by  
210 an eligible private school.

211 14. Fees for services provided at a center that is a  
212 member of the Professional Association of Therapeutic  
213 Horsemanship International.

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

217 (5) TERM OF SCHOLARSHIP.—For purposes of continuity of  
218 educational choice:

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

221 a. The organization determines that the student is not  
222 eligible for program renewal;

223 b. The Commissioner of Education suspends or revokes  
224 program participation or use of funds;

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

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

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

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

237 (I) Denial or revocation of program eligibility by the  
238 commissioner for fraud or abuse, including, but not limited to,

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239 the student or student's parent accepting any payment, refund,  
240 or rebate, in any manner, from a provider of any services  
241 received pursuant to paragraph (4) (a); ~~or~~

242 (II) Two consecutive fiscal years in which an account has  
243 been inactive; or

244 (III) A student remains unenrolled in an eligible private  
245 school for 30 days while receiving a scholarship that requires  
246 full-time enrollment.

247 b. Reimbursements for program expenditures may continue  
248 until the account balance is expended or remaining funds have  
249 reverted to the state.

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

252 a. The parent does not renew program eligibility;

253 b. The organization determines that the student is not  
254 eligible for program renewal;

255 c. The Commissioner of Education suspends or revokes  
256 program participation or use of funds;

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

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

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

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

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

270 a. Denial or revocation of program eligibility by the  
271 commissioner for fraud or abuse, including, but not limited to,  
272 the student or student's parent accepting any payment, refund,  
273 or rebate, in any manner, from a provider of any services  
274 received pursuant to subsection (4);

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

279 c. Two consecutive fiscal years in which an account has  
280 been inactive.

281 (c) Upon reasonable notice to the organization and the  
282 school district, the student's parent may remove the student  
283 from the participating private school and place the student in a  
284 public school in accordance with this section.

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

287 (a) Enrolled full time in a public school, including, but  
288 not limited to, the Florida School for the Deaf and the Blind,

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289 the College-Preparatory Boarding Academy, the Florida School for  
290 Competitive Academics, the Florida Virtual School, the Florida  
291 Scholars Academy, a developmental research school authorized  
292 under s. 1002.32, or a charter school authorized under this  
293 chapter. For purposes of this paragraph, a 3- or 4-year-old  
294 child who receives services funded through the Florida Education  
295 Finance Program is considered to be a student enrolled in a  
296 public school;

297 (c) Receiving any other educational scholarship pursuant  
298 to this chapter. However, an eligible public school student  
299 receiving a scholarship under s. 1002.411 may receive a  
300 scholarship for transportation pursuant to subparagraph  
301 (4) (a)2.;

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

308 (7) SCHOOL DISTRICT OBLIGATIONS.—

309 (d) Upon the request of the department, a school district  
310 shall coordinate with the department to provide to a  
311 participating private school the statewide assessments  
312 administered under s. 1008.22 and any related materials for  
313 administering the assessments. For a student who participates in

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314 the Family Empowerment Scholarship Program whose parent requests  
315 that the student take the statewide assessments under s.  
316 1008.22, the district in which the student attends a  
317 participating private school shall provide locations and times  
318 to take all statewide assessments. A school district is  
319 responsible for implementing test administrations at a  
320 participating private school, including the:

- 321 1. Provision of training for private school staff on test  
322 security and assessment administration procedures;
- 323 2. Distribution of testing materials to a private school;
- 324 3. Retrieval of testing materials from a private school;
- 325 4. Provision of the required format for a private school  
326 to submit information to the district for test administration  
327 and enrollment purposes; and
- 328 5. Provision of any required assistance, monitoring, or  
329 investigation at a private school.

330 (8) DEPARTMENT OF EDUCATION OBLIGATIONS.—

331 (a) The department shall:

- 332 1. Publish and update, as necessary, information on the  
333 department website about the Family Empowerment Scholarship  
334 Program, including, but not limited to, student eligibility  
335 criteria, parental responsibilities, and relevant data.
- 336 2. Report, as part of the determination of full-time  
337 equivalent membership pursuant to s. 1011.62(1)(a), all  
338 scholarship students ~~who are receiving a scholarship under the~~

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339 ~~program and are~~ funded through the Florida Education Finance  
340 Program, and cross-check the list of ~~participating~~ scholarship  
341 students submitted by the eligible nonprofit scholarship-funding  
342 organization with the full-time equivalent student membership  
343 survey data ~~public school enrollment lists~~ to avoid duplication.

344 3. Maintain and annually publish a list of nationally  
345 norm-referenced tests identified for purposes of satisfying the  
346 testing requirement in subparagraph (9)(c)1. The tests must meet  
347 industry standards of quality in accordance with state board  
348 rule.

349 4. Notify eligible nonprofit scholarship-funding  
350 organizations of the deadlines for submitting the verified list  
351 of eligible scholarship students ~~determined to be eligible for a~~  
352 ~~scholarship. An eligible nonprofit scholarship-funding~~  
353 ~~organization may not submit a student for funding after February~~  
354 ~~1.~~

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

357 6. Notify the parent and the organization when a  
358 scholarship account is closed and program funds revert to the  
359 state.

360 7. Notify an eligible nonprofit scholarship-funding  
361 organization of any of the organization's or other  
362 organization's identified students who are receiving  
363 scholarships under this chapter.

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364 8. Maintain on its website a list of approved providers as  
365 required by s. 1002.66, eligible postsecondary educational  
366 institutions, eligible private schools, and eligible  
367 organizations and may identify or provide links to lists of  
368 other approved providers.

369 9. Require each organization to verify eligible  
370 expenditures before the distribution of funds for any  
371 expenditures made pursuant to subparagraphs (4) (b)1. and 2.  
372 Review of expenditures made for services specified in  
373 subparagraphs (4) (b)3.-15. may be completed after the purchase  
374 is made.

375 10. Investigate any written complaint of a violation of  
376 this section by a parent, a student, a participating private  
377 school, a public school, a school district, an organization, a  
378 provider, or another appropriate party in accordance with the  
379 process established under s. 1002.421.

380 11. Require quarterly reports by an organization, which  
381 must include, at a minimum, the number of students participating  
382 in the program; the demographics of program participants; the  
383 disability category of program participants; the matrix level of  
384 services, if known; the program award amount per student; the  
385 total expenditures for the purposes specified in paragraph  
386 (4) (b); the types of providers of services to students; the  
387 number of scholarship applications received, the number of  
388 applications processed within 30 days after receipt, and the



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389 number of incomplete applications received; data related to  
390 reimbursement submissions, including the average number of days  
391 for a reimbursement to be reviewed and the average number of  
392 days for a reimbursement to be approved; any parent input and  
393 feedback collected regarding the program; and any other  
394 information deemed necessary by the department.

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

400 13. Adjust payments to eligible nonprofit scholarship-  
401 funding organizations and, when the Florida Education Finance  
402 Program is recalculated, adjust the amount of state funds  
403 allocated to school districts through the Florida Education  
404 Finance Program based upon the results of the cross-check  
405 completed pursuant to subparagraph 2.

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

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

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413 (b) Provide to the organization all documentation required  
414 for a student's participation, including confirmation of the  
415 student's admission to the private school, the private school's  
416 and student's fee schedules, and any other information required  
417 by the organization to process scholarship payment under  
418 subparagraph (12) (a)4. Such information must be provided by the  
419 deadlines established by the organization and in accordance with  
420 the requirements of this section at least 30 days before any  
421 quarterly scholarship payment is made for the student pursuant  
422 to paragraph (12) (a). A student is not eligible to receive a  
423 quarterly scholarship payment if the private school fails to  
424 meet the ~~this~~ deadline.

425  
426 If a private school fails to meet the requirements of this  
427 subsection or s. 1002.421, the commissioner may determine that  
428 the private school is ineligible to participate in the  
429 scholarship program.

430 (10) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM  
431 PARTICIPATION.—

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

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

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437           2. Request the scholarship by the ~~a~~ date established by  
438 the organization, in a manner that creates a written or  
439 electronic record of the request and the date of receipt of the  
440 request.

441           3.a. Beginning with new applications for the 2025-2026  
442 school year and thereafter, notify the organization by December  
443 15 that the scholarship is being accepted or declined.

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

447           ~~4.3.~~ Inform the applicable school district when the parent  
448 withdraws his or her student from a public school to attend an  
449 eligible private school.

450           ~~5.4.~~ Require his or her student participating in the  
451 program to remain in attendance at the eligible private school  
452 throughout the school year unless excused by the school for  
453 illness or other good cause.

454           ~~6.5.~~ Meet with the eligible private school's principal or  
455 the principal's designee to review the school's academic  
456 programs and policies, specialized services, code of student  
457 conduct, and attendance policies before enrollment.

458           ~~7.6.~~ Require his or her ~~that the~~ student participating in  
459 the ~~scholarship~~ program to take ~~takes~~ the norm-referenced  
460 assessment offered by the eligible private school. The parent  
461 may also choose to have the student participate in the statewide

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462 assessments pursuant to paragraph (7) (d). If the parent requests  
463 that the student participating in the program take all statewide  
464 assessments required pursuant to s. 1008.22, the parent is  
465 responsible for transporting the student to the assessment site  
466 designated by the school district.

467 ~~8.7.~~ Approve each payment before the scholarship funds may  
468 be deposited by funds transfer pursuant to subparagraph  
469 (12) (a) 4. The parent may not designate any entity or individual  
470 associated with the participating private school as the parent's  
471 attorney in fact to approve a funds transfer. A participant who  
472 fails to comply with this paragraph forfeits the scholarship.

473 ~~9.8.~~ Agree to have the organization commit scholarship  
474 funds on behalf of his or her student for tuition and fees for  
475 which the parent is responsible for payment at the eligible  
476 private school before using scholarship empowerment account  
477 funds for additional authorized uses under paragraph (4) (a). A  
478 parent is responsible for all eligible expenses in excess of the  
479 amount of the scholarship.

480 10. Comply with the scholarship application and renewal  
481 processes and requirements established by the organization.

482 (b) A parent who applies for a scholarship ~~applies for~~  
483 ~~program participation~~ under paragraph (3) (b) is exercising his  
484 or her parental option to determine the appropriate placement or  
485 the services that best meet the needs of his or her child and  
486 must:

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487 1. Apply to an eligible nonprofit scholarship-funding  
488 organization to participate in the program by a date set by the  
489 organization. The request must be communicated directly to the  
490 organization in a manner that creates a written or electronic  
491 record of the request and the date of receipt of the request.

492 2.a. Beginning with new applications for the 2025-2026  
493 school year and thereafter, notify the organization by December  
494 15 that the scholarship is being accepted or declined.

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

498 ~~3.2.~~ Sign an agreement with the organization and annually  
499 submit a sworn compliance statement to the organization to  
500 satisfy or maintain program eligibility, including eligibility  
501 to receive and spend program payments by:

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

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

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

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

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

518 (II) Providing an annual evaluation in accordance with s.  
519 1002.41(1)(f); or

520 (III) Requiring the child to take any preassessments and  
521 postassessments selected by the provider if the child is 4 years  
522 of age and is enrolled in a program provided by an eligible  
523 Voluntary Prekindergarten Education Program provider. A student  
524 with disabilities for whom the physician or psychologist who  
525 issued the diagnosis or the IEP team determines that a  
526 preassessment and postassessment is not appropriate is exempt  
527 from this requirement. A participating provider shall report a  
528 student's scores to the parent.

529 d. Affirming that the student remains in good standing  
530 with the provider or school if those options are selected by the  
531 parent.

532 e. Enrolling his or her child in a program from a  
533 Voluntary Prekindergarten Education Program provider authorized  
534 under s. 1002.55, a school readiness provider authorized under  
535 s. 1002.88, a prekindergarten program offered by an eligible

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536 private school, or an eligible private school if ~~either option~~  
537 ~~is~~ selected by the parent.

538 f. Comply with the scholarship application and renewal  
539 processes and requirements established by the organization  
540 ~~Renewing participation in the program each year.~~ A student whose  
541 participation in the program is not renewed may continue to  
542 spend scholarship funds that are in his or her account from  
543 prior years unless the account must be closed pursuant to  
544 subparagraph (5)(b)3. Notwithstanding any changes to the  
545 student's IEP, a student who was previously eligible for  
546 participation in the program shall remain eligible to apply for  
547 renewal. However, for a high-risk child to continue to  
548 participate in the program in the school year after he or she  
549 reaches 6 years of age, the child's application for renewal of  
550 program participation must contain documentation that the child  
551 has a disability defined in paragraph (2)(e) other than high-  
552 risk status.

553 g. Procuring the services necessary to educate the  
554 student. If such services include enrollment in an eligible  
555 private school, the parent must meet with the private school's  
556 principal or the principal's designee to review the school's  
557 academic programs and policies, specialized services, code of  
558 student conduct, and attendance policies before his or her  
559 student is enrolled. The parent must also approve each payment  
560 to the eligible private school before the scholarship funds may

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561 be deposited by funds transfer pursuant to subparagraph  
562 (12) (a) 4. The parent may not designate any entity or individual  
563 associated with the eligible private school as the parent's  
564 attorney in fact to approve a funds transfer. When the student  
565 receives a scholarship, the district school board is not  
566 obligated to provide the student with a free appropriate public  
567 education. For purposes of s. 1003.57 and the Individuals with  
568 Disabilities in Education Act, a participating student has only  
569 those rights that apply to all other unilaterally parentally  
570 placed students, except that, when requested by the parent,  
571 school district personnel must develop an IEP or matrix level of  
572 services.

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

576 (d)-(e) A participant who fails to comply with this  
577 subsection forfeits the scholarship.

578 (11) OBLIGATIONS OF ELIGIBLE SCHOLARSHIP-FUNDING  
579 ORGANIZATIONS.—

580 (a) An eligible nonprofit scholarship-funding organization  
581 awarding scholarships to eligible students pursuant to paragraph  
582 (3) (a) shall:

583 1. Establish a process for parents who are in compliance  
584 with paragraph (10) (a) to renew their students' scholarships.  
585 Renewal applications for the 2025-2026 school year and



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586 thereafter must provide for a renewal timeline beginning  
587 February 1 of the prior school year and ending April 30 of the  
588 prior school year. A student's renewal is contingent upon an  
589 eligible private school providing confirmation of student  
590 admission pursuant to subsection (9). The process must require  
591 that parents confirm that the scholarship is being renewed or  
592 declined by May 31.

593 2. Establish a process that allows a parent to apply for a  
594 new scholarship. The process may begin no earlier than February  
595 1 of the prior school year and must authorize submission of  
596 applications until November 15. The process must be in a manner  
597 that creates a written or electronic record of the application  
598 request and the date of receipt of the application request.  
599 Applications received after the deadline may be considered for  
600 scholarship award in the subsequent fiscal year. The process  
601 must require that parents confirm that the scholarship is being  
602 accepted or declined by December 15. ~~Must receive applications,~~  
603 ~~determine student eligibility, notify parents in accordance with~~  
604 ~~the requirements of this section, and provide the department~~  
605 ~~with information on the student to enable the department to~~  
606 ~~determine student funding in accordance with paragraph (12)(a).~~

607 3.2. ~~Shall~~ Verify the household income level of students  
608 seeking priority eligibility and submit the verified list of  
609 students and related documentation to the department ~~when~~  
610 necessary.

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611       ~~4.3. Shall~~ Award scholarships in priority order pursuant  
612 to paragraph (3)(a).

613       ~~5.4. Shall~~ Establish and maintain separate scholarship  
614 ~~empowerment~~ accounts for each eligible student. For each  
615 account, the organization must maintain a record of accrued  
616 interest that is retained in the student's account and available  
617 only for authorized program expenditures.

618       ~~6.5. May~~ Permit eligible students to use program funds for  
619 the purposes specified in paragraph (4)(a) by paying for the  
620 authorized use directly, then submitting a reimbursement request  
621 to the eligible nonprofit scholarship-funding organization.  
622 However, an eligible nonprofit scholarship-funding organization  
623 may require the use of an online platform for direct purchases  
624 of products so long as such use does not limit a parent's choice  
625 of curriculum or academic programs. If a parent purchases a  
626 product identical to one offered by an organization's online  
627 platform for a lower price, the organization shall reimburse the  
628 parent the cost of the product.

629       ~~6. May, from eligible contributions received pursuant to~~  
630 ~~s. 1002.395(6)(1)1., use an amount not to exceed 2.5 percent of~~  
631 ~~the total amount of all scholarships funded under this section~~  
632 ~~for administrative expenses associated with performing functions~~  
633 ~~under this section. An eligible nonprofit scholarship-funding~~  
634 ~~organization that has, for the prior fiscal year, complied with~~  
635 ~~the expenditure requirements of s. 1002.395(6)(1)2., may use an~~

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636 ~~amount not to exceed 3 percent. Such administrative expense~~  
637 ~~amount is considered within the 3 percent limit on the total~~  
638 ~~amount an organization may use to administer scholarships under~~  
639 ~~this chapter.~~

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

643 8. ~~Must~~ Notify the department about any violation of this  
644 section.

645 9. ~~Must~~ Document each student's eligibility for a fiscal  
646 year before granting a scholarship for that fiscal year. A  
647 student is ineligible for a scholarship if the student's account  
648 has been inactive for 2 consecutive fiscal years.

649 10. ~~Must~~ Notify each parent that participation in the  
650 scholarship program does not guarantee enrollment.

651 11. ~~Shall~~ Commit scholarship funds on behalf of the  
652 student for tuition and fees for which the parent is responsible  
653 for payment at the participating private school before using  
654 scholarship empowerment account funds for additional authorized  
655 uses under paragraph (4) (a).

656 (b) An eligible nonprofit scholarship-funding organization  
657 awarding scholarships to eligible students pursuant to paragraph  
658 (3) (b) shall:

659 1. Establish a process for parents who are in compliance  
660 with paragraph (10) (b) to renew their students' scholarships.

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661 Renewal applications for the 2025-2026 school year and  
662 thereafter must provide for a renewal timeline beginning  
663 February 1 of the prior school year and ending April 30 of the  
664 prior school year. A student's renewal is contingent upon an  
665 eligible private school providing confirmation of student  
666 admission pursuant to subsection (9), if applicable. The process  
667 must require that parents confirm that the scholarship is being  
668 renewed or declined by May 31.

669 2. Establish a process that allows a parent to apply for a  
670 new scholarship. The process may begin no earlier than February  
671 1 of the prior school year and must authorize the submission of  
672 applications until November 15. The process must be in a manner  
673 that creates a written or electronic record of the application  
674 request and the date of receipt of the application request.  
675 Applications received after the deadline may be considered for  
676 scholarship award in the subsequent fiscal year. The process  
677 must require that parents confirm that the scholarship is being  
678 accepted or declined by December 15.

679 ~~1. Receive applications, determine student eligibility,~~  
680 ~~and notify parents in accordance with the requirements of this~~  
681 ~~section. When an application is approved, the organization must~~  
682 ~~provide the department with information on the student to enable~~  
683 ~~the department to determine student funding in accordance with~~  
684 ~~paragraph (12) (b).~~

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

687 3. Review applications and award scholarships using the  
688 following priorities:

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

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

693 ~~e.~~ Students retained on the previous school year's wait  
694 list.

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

698  
699 ~~An approved student who does not receive a scholarship must be~~  
700 ~~placed on the wait list in the order in which his or her~~  
701 ~~application is approved. A student who does not receive a~~  
702 ~~scholarship within the fiscal year shall be retained on the wait~~  
703 ~~list for the subsequent fiscal year.~~

704 4. Establish and maintain separate accounts for each  
705 eligible student. For each account, the organization must  
706 maintain a record of accrued interest that is retained in the  
707 student's account and available only for authorized program  
708 expenditures.

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

711 6. Return any remaining program funds to the department  
712 pursuant to paragraph (6) (b).

713 7. Notify the parent about the availability of, and the  
714 requirements associated with requesting, an initial IEP or IEP  
715 reevaluation every 3 years for each student participating in the  
716 program.

717 8. Notify the parent of available state and local  
718 services, including, but not limited to, services under chapter  
719 413.

720 9. In a timely manner, submit to the department the  
721 verified list of eligible scholarship students and any  
722 information requested by the department relating to the  
723 scholarship under this section.

724 ~~10.8.~~ Notify the department of any violation of this  
725 section.

726 ~~11.9.~~ Document each scholarship student's eligibility for  
727 a fiscal year before granting a scholarship for that fiscal year  
728 pursuant to paragraph (3) (b). A student is ineligible for a  
729 scholarship if the student's account has been inactive for 2  
730 consecutive fiscal years.

731 (c) An eligible nonprofit scholarship-funding organization  
732 may, from eligible contributions received pursuant to s.  
733 1002.395(6)(l)1., use an amount not to exceed 2.5 percent of the

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734 total amount of all scholarships funded under this section for  
735 administrative expenses associated with performing functions  
736 under this section. An organization that has, for the prior  
737 fiscal year, complied with the expenditure requirements of s.  
738 1002.395(6)(1)3. may use an amount not to exceed 3 percent. Such  
739 administrative expense amount is considered within the 3-percent  
740 limit on the total amount an organization may use to administer  
741 scholarships under this chapter.

742 (d) An eligible nonprofit scholarship-funding organization  
743 shall establish a process to collect input and feedback from  
744 parents, private schools, and providers before implementing  
745 substantial modifications or enhancements to the reimbursement  
746 process.

747 (12) SCHOLARSHIP FUNDING AND PAYMENT.—

748 (a)1. ~~Scholarships for students determined eligible~~  
749 ~~pursuant to paragraph (3) (a) may be funded once all scholarships~~  
750 ~~have been funded in accordance with s. 1002.395(6)(1)2. The~~  
751 ~~calculated scholarship amount for a participating student~~  
752 ~~determined eligible pursuant to paragraph (3) (a) shall be based~~  
753 ~~upon the grade level and school district in which the student~~  
754 ~~was assigned as 100 percent of the funds per unweighted full-~~  
755 ~~time equivalent in the Florida Education Finance Program for a~~  
756 ~~student in the basic program established pursuant to s.~~  
757 ~~1011.62(1)(c)1., plus a per-full-time equivalent share of funds~~

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758 for the categorical programs established in s. 1011.62(5),  
759 (7)(a), and (16), as funded in the General Appropriations Act.

760 2. A scholarship of \$750 or an amount equal to the school  
761 district expenditure per student riding a school bus, as  
762 determined by the department, whichever is greater, may be  
763 awarded to an eligible student who is enrolled in a Florida  
764 public school that is different from the school to which the  
765 student was assigned or in a lab school as defined in s. 1002.32  
766 if the school district does not provide the student with  
767 transportation to the school.

768 3.a. For renewing scholarship students, the organization  
769 ~~must provide the department with the documentation necessary to~~  
770 ~~verify the student's~~ continued eligibility to participate in the  
771 scholarship program at least 30 days before each payment  
772 ~~participation.~~ Upon receiving the verified list of eligible  
773 scholarship students ~~documentation,~~ the department shall release  
774 ~~transfer, beginning August 1,~~ from state funds only, the amount  
775 calculated pursuant to subparagraph 1. 2. to the organization  
776 for deposit into the student's account in quarterly payments no  
777 later than August 1, November 1, February 1, and April 1 of  
778 ~~quarterly disbursement to parents of participating students~~ each  
779 school year in which the scholarship is in force.

780 b. For new scholarship students, the organization must  
781 verify the student's eligibility to participate in the  
782 scholarship program at least 30 days before each payment. Upon



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783 receiving the verified list of eligible scholarship students,  
784 the department shall release, from state funds only, the amount  
785 calculated pursuant to subparagraph 1. to the organization for  
786 deposit into the student's account in quarterly payments no  
787 later than September 1, November 1, February 1, and April 1 of  
788 each school year in which the scholarship is in force. For a  
789 student exiting a Department of Juvenile Justice commitment  
790 program who chooses to participate in the scholarship program,  
791 the amount calculated pursuant to subparagraph 1. must be  
792 transferred from the school district in which the student last  
793 attended a public school before commitment to the Department of  
794 Juvenile Justice.

795 c. The department is authorized to release the state funds  
796 contingent upon verification that the organization will comply  
797 with s. 1002.395(6)(1) based upon the organization's submitted  
798 verified list of eligible scholarship students pursuant to s.  
799 1002.395. For a student exiting a Department of Juvenile Justice  
800 commitment program who chooses to participate in the scholarship  
801 program, the amount of the Family Empowerment Scholarship  
802 calculated pursuant to subparagraph 2. must be transferred from  
803 the school district in which the student last attended a public  
804 school before commitment to the Department of Juvenile Justice.  
805 When a student enters the scholarship program, the organization  
806 must receive all documentation required for the student's  
807 participation, including the private school's and the student's

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808 ~~fee schedules, at least 30 days before the first quarterly~~  
809 ~~scholarship payment is made for the student.~~

810 4. The initial payment shall be made after the  
811 organization's verification of admission acceptance, and  
812 subsequent payments shall be made upon verification of continued  
813 enrollment and attendance at the participating private school.  
814 Payments for tuition and fees for full-time enrollment shall be  
815 made within 7 business days after approval by the parent  
816 pursuant to paragraph (10)(a) and the private school pursuant to  
817 paragraph (9)(b). Payment must be by funds transfer or any other  
818 means of payment that the department deems to be commercially  
819 viable or cost-effective. An organization shall ensure that the  
820 parent has approved a funds transfer before any scholarship  
821 funds are deposited.

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

825 (b)1. For the 2023-2024 school year, the maximum number of  
826 students participating in the scholarship program under  
827 paragraph (3)(b) shall be the number of students the  
828 organization and the department determined eligible pursuant to  
829 this section. Beginning in the 2024-2025 school year, the  
830 maximum number of scholarships funded ~~students participating in~~  
831 ~~the scholarship program~~ under paragraph (3)(b) shall annually  
832 increase by 5.0 ~~3.0~~ percent of the state's total exceptional

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833 student education full-time equivalent student membership, not  
834 including gifted students. The maximum number of scholarships  
835 funded shall increase by 1.0 percent of the state's total  
836 exceptional student education full-time equivalent student  
837 membership, not including gifted students, in the school year  
838 following any school year in which the number of scholarships  
839 funded exceeds 95 percent of the number of available  
840 scholarships for that school year. An eligible student who meets  
841 any of the following requirements shall be excluded from the  
842 maximum number of students if the student:

843 a. Received specialized instructional services under the  
844 Voluntary Prekindergarten Education Program pursuant to s.  
845 1002.66 during the previous school year and the student has a  
846 current IEP developed by the district school board in accordance  
847 with rules of the State Board of Education;

848 b. Is a dependent child of a law enforcement officer or a  
849 member of the United States Armed Forces, a foster child, or an  
850 adopted child; or

851 c. Spent the prior school year in attendance at a Florida  
852 public school or the Florida School for the Deaf and the Blind.  
853 For purposes of this subparagraph, the term "prior school year  
854 in attendance" means that the student was enrolled and reported  
855 by:

856 (I) A school district for funding during either the  
857 preceding October or February full-time equivalent student

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858 membership surveys in kindergarten through grade 12, which  
859 includes time spent in a Department of Juvenile Justice  
860 commitment program if funded under the Florida Education Finance  
861 Program;

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

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

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

871 2. For a student who has a Level I to Level III matrix of  
872 services or a diagnosis by a physician or psychologist, the  
873 calculated scholarship amount for a student participating in the  
874 program must be based upon the grade level and school district  
875 in which the student would have been enrolled as the total funds  
876 per unweighted full-time equivalent in the Florida Education  
877 Finance Program for a student in the basic exceptional student  
878 education program pursuant to s. 1011.62(1)(c) and (d), plus a  
879 per full-time equivalent share of funds for the categorical  
880 programs established in s. 1011.62(5), (7)(a), (8), and (16), as  
881 funded in the General Appropriations Act. For the categorical  
882 program established in s. 1011.62(8), the funds must be

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883 allocated based on the school district's average exceptional  
884 student education guaranteed allocation funds per exceptional  
885 student education full-time equivalent student.

886 3. For a student with a Level IV or Level V matrix of  
887 services, the calculated scholarship amount must be based upon  
888 the school district to which the student would have been  
889 assigned as the total funds per full-time equivalent for the  
890 Level IV or Level V exceptional student education program  
891 pursuant to s. 1011.62(1)(c)2.a. or b., plus a per-full time  
892 equivalent share of funds for the categorical programs  
893 established in s. 1011.62(5), (7)(a), and (16), as funded in the  
894 General Appropriations Act.

895 4. For a student who received a Gardiner Scholarship  
896 pursuant to former s. 1002.385 in the 2020-2021 school year, the  
897 amount shall be the greater of the amount calculated pursuant to  
898 subparagraph 2. or the amount the student received for the 2020-  
899 2021 school year.

900 5. For a student who received a John M. McKay Scholarship  
901 pursuant to former s. 1002.39 in the 2020-2021 school year, the  
902 amount shall be the greater of the amount calculated pursuant to  
903 subparagraph 2. or the amount the student received for the 2020-  
904 2021 school year.

905 6. The organization must ~~provide the department with the~~  
906 ~~documentation necessary to~~ verify the student's eligibility to

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907 participate in the scholarship program at least 30 days before  
908 each payment participation.

909 7.a. For renewing scholarship students, upon receiving the  
910 verified list of eligible scholarship students, the department  
911 shall release, from state funds only, the amount calculated  
912 pursuant to subparagraph 1. to the organization for deposit into  
913 the student's account in quarterly payments no later than August  
914 1, November 1, February 1, and April 1 of each school year in  
915 which the scholarship is in force.

916 b. For new scholarship students, upon receiving the  
917 verified list of eligible scholarship students ~~documentation,~~  
918 the department shall release, from state funds only, the amount  
919 calculated pursuant to subparagraph 1. ~~student's scholarship~~  
920 ~~funds~~ to the organization for deposit, to be deposited into the  
921 student's account in quarterly payments ~~four equal amounts~~ no  
922 later than September 1, November 1, February 1, and April 1 of  
923 each school year in which the scholarship is in force.

924 8. If a scholarship student is attending an eligible  
925 private school full time, the initial payment shall be made  
926 after the organization's verification of admission acceptance,  
927 and subsequent payments shall be made upon verification of  
928 continued enrollment and attendance at the eligible private  
929 school. Payments for tuition and fees for full-time enrollment  
930 shall be made within 7 business days after approval by the

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931 parent pursuant to paragraph (10) (b) and the private school  
932 pursuant to paragraph (9) (b).

933 ~~9.8.~~ Accrued interest in the student's account is in  
934 addition to, and not part of, the awarded funds. Program funds  
935 include both the awarded funds and accrued interest.

936 ~~10.9.~~ The organization may develop a system for payment of  
937 benefits by funds transfer, including, but not limited to, debit  
938 cards, electronic payment cards, or any other means of payment  
939 which the department deems to be commercially viable or cost-  
940 effective. A student's scholarship award may not be reduced for  
941 debit card or electronic payment fees. Commodities or services  
942 related to the development of such a system must be procured by  
943 competitive solicitation unless they are purchased from a state  
944 term contract pursuant to s. 287.056.

945 ~~11.10.~~ An organization may not transfer any funds to an  
946 account of a student determined to be eligible pursuant to  
947 paragraph (3) (b) which has a balance in excess of \$50,000.

948 ~~12.11.~~ Moneys received pursuant to this section do not  
949 constitute taxable income to the qualified student or the parent  
950 of the qualified student.

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

953 (d) Within 30 days after the release of state funds  
954 pursuant to paragraphs (a) and (b), the eligible scholarship-  
955 funding organization shall certify to the department the amount

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956 of funds distributed for student scholarships. If the amount of  
957 funds released by the department is more than the amount  
958 distributed by the organization, the department is authorized to  
959 adjust the amount of the overpayment in the subsequent quarterly  
960 payment release.

961 (16) TRANSITION-TO-WORK PROGRAM.—A student with a  
962 disability who is determined eligible pursuant to paragraph  
963 (3)(b) who is at least 17 years, but not older than 22 years of  
964 age and who has not received a high school diploma or  
965 certificate of completion is eligible for enrollment in his or  
966 her participating private school's transition-to-work program. A  
967 transition-to-work program shall consist of academic  
968 instruction, work skills training, and a volunteer or paid work  
969 experience.

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

972 1. Develop a transition-to-work program plan, which must  
973 include a written description of the academic instruction and  
974 work skills training students will receive and the goals for  
975 students in the program.

976 2. Submit the transition-to-work program plan to the  
977 Office of Independent Education and Parental Choice and consider  
978 any guidance provided by the department pursuant to paragraph  
979 (8)(d) relating to the plan.



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980           3. Develop a personalized transition-to-work program plan  
981 for each student enrolled in the program. The student's parent,  
982 the student, and the school principal must sign the personalized  
983 plan. The personalized plan must be submitted to the Office of  
984 Independent Education and Parental Choice upon request by the  
985 office.

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

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

992           6. Provide to the parent and student a quarterly report  
993 that documents and explains the student's progress and  
994 performance in the program.

995           7. Maintain accurate attendance and performance records  
996 for the student.

997           (b) A student enrolled in a transition-to-work program  
998 must, at a minimum:

999           1. Receive 15 instructional hours at the participating  
1000 private school's physical facility, which must include academic  
1001 instruction and work skills training.

1002           2. Participate in 10 hours of work at the student's  
1003 volunteer or paid work experience.

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1004 (c) To participate in a transition-to-work program, a  
1005 business must:

1006 1. Maintain an accurate record of the student's  
1007 performance and hours worked and provide the information to the  
1008 participating private school.

1009 2. Comply with all state and federal child labor laws.

1010 Section 5. Paragraph (c) of subsection (1), paragraphs  
1011 (b), (f), and (i) of subsection (2), subsection (3), paragraphs  
1012 (a) and (c) of subsection (4), paragraphs (c) through (i) and  
1013 (l), (p), (q), (t), and (w) of subsection (6), subsections (7)  
1014 and (8), paragraphs (d), (e), (f), and (i) of subsection (9),  
1015 paragraph (b) of subsection (10), and paragraphs (c), (f), and  
1016 (h) of subsection (11) of section 1002.395, Florida Statutes,  
1017 are amended, paragraph (y) is added to subsection (6), and  
1018 paragraph (i) is added to subsection (11) of that section, to  
1019 read:

1020 1002.395 Florida Tax Credit Scholarship Program.—

1021 (1) FINDINGS AND PURPOSE.—

1022 (c) The purpose of this section is not to prescribe the  
1023 standards or curriculum for participating private schools. A  
1024 participating private school retains the authority to determine  
1025 its own standards and curriculum.

1026 (2) DEFINITIONS.—As used in this section, the term:

1027 (b) "Choice navigator" means an individual who meets the  
1028 requirements of sub-subparagraph (6)(d)4.h. ~~(6)(d)2.h.~~ and who

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1029 provides consultations, at a mutually agreed upon location, on  
1030 the selection of, application for, and enrollment in educational  
1031 options addressing the academic needs of a student; curriculum  
1032 selection; and advice on career and postsecondary education  
1033 opportunities. However, nothing in this section authorizes a  
1034 choice navigator to oversee or exercise control over the  
1035 curricula or academic programs of a personalized education  
1036 program.

1037 (f) "Eligible contribution" means a monetary contribution  
1038 from a taxpayer, subject to the restrictions provided in this  
1039 section, to an eligible nonprofit scholarship-funding  
1040 organization pursuant to this section and ss. 212.099, 212.1831,  
1041 and 212.1832, ~~and 1002.40~~. The taxpayer making the contribution  
1042 may not designate a specific child as the beneficiary of the  
1043 contribution.

1044 (i) "Eligible private school" means a private school, as  
1045 defined in s. 1002.01, located in Florida which offers an in-  
1046 classroom education or part-time or full-time virtual  
1047 instruction where a teacher and student are separated by time or  
1048 space, or both, to students in any grades K-12 and that meets  
1049 the requirements in subsection (8).

1050 (3) PROGRAM; INITIAL SCHOLARSHIP ELIGIBILITY.—

1051 (a) The Florida Tax Credit Scholarship Program is  
1052 established.

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1053 (b)1. A student is eligible for a Florida tax credit  
1054 scholarship under this section if the student:

1055 a. Is a resident of this state or the dependent child of  
1056 an active duty member of the United States Armed Forces who has  
1057 received permanent change of station orders to this state or, at  
1058 the time of renewal, whose home of record or state of legal  
1059 residence is Florida; and

1060 b. Is eligible to enroll in kindergarten through grade 12  
1061 in a public school in this state or received a scholarship under  
1062 the Hope Scholarship Program in the 2023-2024 school year.

1063 2. Priority must be given in the following order:

1064 a. A student whose household income level does not exceed  
1065 185 percent of the federal poverty level or who is in foster  
1066 care or out-of-home care.

1067 b. A student whose household income level exceeds 185  
1068 percent of the federal poverty level, but does not exceed 400  
1069 percent of the federal poverty level.

1070 (4) SCHOLARSHIP PROHIBITIONS.—A student is not eligible  
1071 for a scholarship while he or she is:

1072 (a) Enrolled full time in a public school, including, but  
1073 not limited to, the Florida School for the Deaf and the Blind,  
1074 the College-Preparatory Boarding Academy, the Florida School for  
1075 Competitive Academics, the Florida Virtual School, the Florida  
1076 Scholars Academy, a developmental research school authorized  
1077 under s. 1002.32, or a charter school authorized under this

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1078 chapter. For purposes of this paragraph, a 3- or 4-year-old  
1079 child who receives services funded through the Florida Education  
1080 Finance Program is considered a student enrolled full-time in a  
1081 public school;

1082 (c) Receiving any other educational scholarship pursuant  
1083 to this chapter. However, an eligible public school student  
1084 receiving a scholarship under s. 1002.411 may receive a  
1085 scholarship for transportation pursuant to subparagraph  
1086 (6)(d)4.;

1087 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING  
1088 ORGANIZATIONS.—An eligible nonprofit scholarship-funding  
1089 organization:

1090 (c) Must not have an owner or operator, as defined in  
1091 subparagraph (2)(k)1., who owns or operates an eligible private  
1092 school that is participating in the scholarship program.

1093 (d)1. For the 2023-2024 school year, may fund no more than  
1094 20,000 scholarships for students who are enrolled pursuant to  
1095 paragraph (7)(b). The number of scholarships funded for such  
1096 students may increase by 40,000 in each subsequent school year.  
1097 This subparagraph is repealed July 1, 2027.

1098 2. Shall establish a process for parents who are in  
1099 compliance with paragraph (7)(a) to renew their students'  
1100 scholarships. Renewal applications for the 2025-2026 school year  
1101 and thereafter must provide for a renewal timeline beginning  
1102 February 1 of the prior school year and ending April 30 of the

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1103 prior school year. A student's renewal is contingent upon an  
1104 eligible private school providing confirmation of admission  
1105 pursuant to subsection (8). The process must require that  
1106 parents confirm that the scholarship is being renewed or  
1107 declined by May 31.

1108 3. Shall establish a process that allows a parent to apply  
1109 for a new scholarship. The process must be in a manner that  
1110 creates a written or electronic record of the application  
1111 request and the date of receipt of the application request. The  
1112 process must require that parents confirm that the scholarship  
1113 is being accepted or declined by a date set by the organization.

1114 4.2. Must establish and maintain separate scholarship  
1115 ~~empowerment~~ accounts from eligible contributions for each  
1116 eligible student. For each account, the organization must  
1117 maintain a record of accrued interest retained in the student's  
1118 account. The organization must verify that scholarship funds are  
1119 used for:

1120 a. Tuition and fees for full-time or part-time enrollment  
1121 in an eligible private school.

1122 b. Transportation to a Florida public school in which a  
1123 student is enrolled and that is different from the school to  
1124 which the student was assigned or to a lab school as defined in  
1125 s. 1002.32.

1126 c. Instructional materials, including digital materials  
1127 and Internet resources. Equipment used as instructional

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1128 materials may only be purchased for subjects in language arts  
1129 and reading, mathematics, social studies, and science.

1130 d. Curriculum as defined in s. 1002.394(2).

1131 e. Tuition and fees associated with full-time or part-time  
1132 enrollment in a home education instructional program; an  
1133 eligible postsecondary educational institution or a program  
1134 offered by the postsecondary educational institution, unless the  
1135 program is subject to s. 1009.25 or reimbursed pursuant to s.  
1136 1009.30; an approved preapprenticeship program as defined in s.  
1137 446.021(5) which is not subject to s. 1009.25 and complies with  
1138 all applicable requirements of the Department of Education  
1139 pursuant to chapter 1005; a private tutoring program authorized  
1140 under s. 1002.43; a virtual program offered by a department-  
1141 approved private online provider that meets the provider  
1142 qualifications specified in s. 1002.45(2)(a); the Florida  
1143 Virtual School as a private paying student; or an approved  
1144 online course offered pursuant to s. 1003.499 or s. 1004.0961.

1145 f. Fees for nationally standardized, norm-referenced  
1146 achievement tests, Advanced Placement Examinations, industry  
1147 certification examinations, assessments related to postsecondary  
1148 education, or other assessments.

1149 g. Contracted services provided by a public school or  
1150 school district, including classes. A student who receives  
1151 contracted services under this sub-subparagraph is not  
1152 considered enrolled in a public school for eligibility purposes

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1153 as specified in subsection (11) but rather attending a public  
1154 school on a part-time basis as authorized under s. 1002.44.

1155 h. Tuition and fees for part-time tutoring services or  
1156 fees for services provided by a choice navigator. Such services  
1157 must be provided by a person who holds a valid Florida  
1158 educator's certificate pursuant to s. 1012.56, a person who  
1159 holds an adjunct teaching certificate pursuant to s. 1012.57, a  
1160 person who has a bachelor's degree or a graduate degree in the  
1161 subject area in which instruction is given, a person who has  
1162 demonstrated a mastery of subject area knowledge pursuant to s.  
1163 1012.56(5), or a person certified by a nationally or  
1164 internationally recognized research-based training program as  
1165 approved by the Department of Education. As used in this  
1166 paragraph, the term "part-time tutoring services" does not  
1167 qualify as regular school attendance as defined in s.  
1168 1003.01(16)(e).

1169 (e) For students determined eligible pursuant to paragraph  
1170 (7)(b), must:

1171 1. Establish a process for parents who are in compliance  
1172 with subparagraph (7)(b)1. to apply for a new scholarship. New  
1173 scholarship applications for the 2025-2026 school year and  
1174 thereafter must provide for an application timeline beginning  
1175 February 1 of the prior school year and ending April 30 of the  
1176 prior school year. The process must require that parents confirm  
1177 that the scholarship is being accepted or declined by May 31.



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1178           2. Establish a process for parents who are in compliance  
1179 with paragraph (7)(b) to renew their students' scholarships.  
1180 Renewal scholarship applications for the 2025-2026 school year  
1181 and thereafter must provide for a renewal timeline beginning  
1182 February 1 of the prior school year and ending April 30 of the  
1183 prior school year. The process must require that parents confirm  
1184 that the scholarship is being renewed or declined by May 31.

1185           ~~3.1.~~ Maintain a signed agreement from the parent which  
1186 constitutes compliance with the attendance requirements under  
1187 ss. 1003.01(16) and 1003.21(1).

1188           ~~4.2.~~ Receive eligible student test scores and, beginning  
1189 with the 2027-2028 school year, by August 15, annually report  
1190 test scores for students pursuant to paragraph (7)(b) to a state  
1191 university pursuant to paragraph (9)(f).

1192           ~~5.3.~~ Provide parents with information, guidance, and  
1193 support to create and annually update a student learning plan  
1194 for their student. The organization must maintain the plan and  
1195 allow parents to electronically submit, access, and revise the  
1196 plan continuously.

1197           ~~6.4.~~ Upon submission by the parent of an annual student  
1198 learning plan, fund a scholarship for a student determined  
1199 eligible.

1200           (f) Must give first priority to eligible renewal students  
1201 who received a scholarship from an eligible nonprofit  
1202 scholarship-funding organization ~~or from the State of Florida~~

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1203 during the previous school year. The eligible nonprofit  
1204 scholarship-funding organization must fully apply and exhaust  
1205 all funds available under this section ~~and s. 1002.40(11)(i)~~ for  
1206 renewal scholarship awards before awarding any initial  
1207 scholarships.

1208 (g) Must provide a new ~~renewal or initial~~ scholarship to  
1209 an eligible student on a first-come, first-served basis unless  
1210 the student is seeking priority eligibility ~~qualifies for~~  
1211 ~~priority~~ pursuant to subsection (3) ~~paragraph (f)~~.

1212 (h) ~~Each eligible nonprofit scholarship-funding~~  
1213 ~~organization~~ Must refer any student eligible for a scholarship  
1214 pursuant to this section who did not receive a renewal or  
1215 initial scholarship based solely on the lack of available funds  
1216 under this section ~~and s. 1002.40(11)(i)~~ to another eligible  
1217 nonprofit scholarship-funding organization that may have funds  
1218 available.

1219 (i) May not restrict or reserve scholarships for use at a  
1220 particular eligible private school or provide scholarships to a  
1221 child of an owner or operator as defined in subparagraph  
1222 (2)(k)1.

1223 (1)1. May use eligible contributions received pursuant to  
1224 this section and ss. 212.099, 212.1831, and 212.1832, ~~and~~  
1225 ~~1002.40~~ during the state fiscal year in which such contributions  
1226 are collected for administrative expenses if the organization  
1227 has operated as an eligible nonprofit scholarship-funding

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1228 organization for at least the preceding 3 fiscal years and did  
1229 not have any findings of material weakness or material  
1230 noncompliance in its most recent audit under paragraph (o) or is  
1231 in good standing in each state in which it administers a  
1232 scholarship program and the audited financial statements for the  
1233 preceding 3 fiscal years are free of material misstatements and  
1234 going concern issues. Administrative expenses from eligible  
1235 contributions may not exceed 3 percent of the total amount of  
1236 all scholarships funded by an eligible scholarship-funding  
1237 organization under this chapter. Such administrative expenses  
1238 must be reasonable and necessary for the organization's  
1239 management and distribution of scholarships funded under this  
1240 chapter. Administrative expenses may include developing or  
1241 contracting with rideshare programs or facilitating carpool  
1242 strategies for recipients of a transportation scholarship under  
1243 s. 1002.394. No funds authorized under this subparagraph shall  
1244 be used for lobbying or political activity or expenses related  
1245 to lobbying or political activity. Up to one-third of the funds  
1246 authorized for administrative expenses under this subparagraph  
1247 may be used for expenses related to the recruitment of  
1248 contributions from taxpayers. An eligible nonprofit scholarship-  
1249 funding organization may not charge an application fee.

1250 2. Must expend for annual or partial-year scholarships 100  
1251 percent of any eligible contributions from the prior fiscal  
1252 year.

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1253        ~~3.2.~~ Must expend ~~award~~ for annual or partial-year  
1254 scholarships an amount equal to or greater than 75 percent of  
1255 all ~~estimated~~ net eligible contributions, as defined in  
1256 subsection (2), ~~and all funds carried forward from the prior~~  
1257 ~~state fiscal year~~ remaining after administrative expenses during  
1258 the state fiscal year in which such eligible contributions are  
1259 collected ~~before funding any scholarships to students determined~~  
1260 ~~eligible pursuant to s. 1002.394(3)(a)~~. No more than 25 percent  
1261 of such net eligible contributions may be carried forward to the  
1262 following state fiscal year. All amounts carried forward, for  
1263 audit purposes, must be specifically identified for particular  
1264 students, by student name and the name of the school to which  
1265 the student is admitted, subject to the requirements of ss.  
1266 1002.22 and 1002.221 and 20 U.S.C. s. 1232g, and the applicable  
1267 rules and regulations issued pursuant thereto. Any amounts  
1268 carried forward shall be expended for annual or partial-year  
1269 scholarships in the following state fiscal year. ~~No later than~~  
1270 ~~September 30 of each year,~~ net Eligible contributions remaining  
1271 on June 30 of each year that are in excess of the 25 percent  
1272 that may be carried forward shall be used to provide  
1273 scholarships to eligible students or transferred to other  
1274 eligible nonprofit scholarship-funding organizations to provide  
1275 scholarships for eligible students. All transferred funds must  
1276 be deposited by each eligible nonprofit scholarship-funding  
1277 organization receiving such funds into its scholarship account.

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1278 All transferred amounts received by any eligible nonprofit  
1279 scholarship-funding organization must be separately disclosed in  
1280 the annual financial audit required under paragraph (o).

1281 ~~4.3.~~ Must, before granting a scholarship for an academic  
1282 year, document each scholarship student's eligibility for that  
1283 academic year. A scholarship-funding organization may not grant  
1284 multiyear scholarships in one approval process.

1285 (p) Must prepare and submit quarterly reports to the  
1286 Department of Education pursuant to paragraph (9)(i). In  
1287 addition, an eligible nonprofit scholarship-funding organization  
1288 must submit in a timely manner the verified list of eligible  
1289 scholarship students and any information requested by the  
1290 Department of Education relating to the scholarship program.

1291 (q)1.a. Must participate in the joint development of  
1292 agreed-upon procedures during the 2009-2010 state fiscal year.  
1293 The agreed-upon procedures must uniformly apply to all private  
1294 schools and must determine, at a minimum, whether the private  
1295 school has been verified as eligible by the Department of  
1296 Education under s. 1002.421; has an adequate accounting system,  
1297 system of financial controls, and process for deposit and  
1298 classification of scholarship funds; and has properly expended  
1299 scholarship funds for education-related expenses. During the  
1300 development of the procedures, the participating scholarship-  
1301 funding organizations shall specify guidelines governing the  
1302 materiality of exceptions that may be found during the

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1303 accountant's performance of the procedures. The procedures and  
1304 guidelines shall be provided to private schools and the  
1305 Commissioner of Education by March 15, 2011.

1306       b. Must participate in a joint review of the agreed-upon  
1307 procedures and guidelines developed under sub-subparagraph a.,  
1308 by February of each biennium, if the scholarship-funding  
1309 organization provided more than \$250,000 in scholarship funds  
1310 under this chapter during the state fiscal year preceding the  
1311 biennial review. If the procedures and guidelines are revised,  
1312 the revisions must be provided to private schools and the  
1313 Commissioner of Education by March 15 of the year in which the  
1314 revisions were completed. The revised agreed-upon procedures and  
1315 guidelines shall take effect the subsequent school year.

1316       c. Must monitor the compliance of a participating private  
1317 school with s. 1002.421(1)(q) if the scholarship-funding  
1318 organization provided the majority of the scholarship funding to  
1319 the school. For each participating private school subject to s.  
1320 1002.421(1)(q), the appropriate scholarship-funding organization  
1321 shall annually notify the Commissioner of Education by October  
1322 30 of:

1323       (I) A private school's failure to submit a report required  
1324 under s. 1002.421(1)(q); or

1325       (II) Any material exceptions set forth in the report  
1326 required under s. 1002.421(1)(q).

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1327           2. Must seek input from the accrediting associations that  
1328 are members of the Florida Association of Academic Nonpublic  
1329 Schools and the Department of Education when jointly developing  
1330 the agreed-upon procedures and guidelines under sub-subparagraph  
1331 1.a. and conducting a review of those procedures and guidelines  
1332 under sub-subparagraph 1.b.

1333           (t) Must participate in the joint development of agreed-  
1334 upon purchasing guidelines for authorized uses of scholarship  
1335 funds under paragraph (d) and s. 1002.394(4)(a) this chapter. By  
1336 December 31, 2023, and by each December 31 thereafter, the  
1337 purchasing guidelines must be provided to the Commissioner of  
1338 Education and published on the eligible nonprofit scholarship-  
1339 funding organization's website. Published purchasing guidelines  
1340 shall remain in effect until there is unanimous agreement to  
1341 revise the guidelines, and the revisions must be provided to the  
1342 commissioner and published on the organization's website within  
1343 30 days after such revisions. The organization shall assist the  
1344 Florida Center for Students with Unique Abilities under s.  
1345 1004.6495 with the development of purchasing guidelines for  
1346 authorized uses of scholarship funds under s. 1002.394(4)(b) and  
1347 publish the guidelines on the organization's website.

1348           (w) Shall commit scholarship funds on behalf of the  
1349 student for tuition and fees for which the parent is responsible  
1350 for payment at the participating private school before using

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1351 scholarship empowerment account funds for additional authorized  
1352 uses under paragraph (d).

1353 (y) Must establish a process to collect input and feedback  
1354 from parents, private schools, and providers before implementing  
1355 substantial modifications or enhancements to the reimbursement  
1356 process.

1357  
1358 Information and documentation provided to the Department of  
1359 Education and the Auditor General relating to the identity of a  
1360 taxpayer that provides an eligible contribution under this  
1361 section shall remain confidential at all times in accordance  
1362 with s. 213.053.

1363 (7) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM  
1364 PARTICIPATION.—

1365 (a) A parent who applies for a scholarship whose student  
1366 will be enrolled full time in an eligible ~~a~~ private school must:

1367 1. Select an eligible private school and apply for the  
1368 admission of his or her child.

1369 2. Request the scholarship by the date established by the  
1370 organization in a manner that creates a written or electronic  
1371 record of the request and the date of receipt of the request.

1372 3.a. Beginning with new applications for the 2025-2026  
1373 school year and thereafter, notify the organization by a date  
1374 set by the organization that the scholarship is being accepted  
1375 or declined.



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1376 b. Beginning with renewal applications for the 2025-2026  
1377 school year and thereafter, notify the organization by May 31  
1378 that the scholarship is being renewed or declined.

1379 ~~4.2.~~ Inform the applicable ~~child's~~ school district when  
1380 the parent withdraws his or her student from a public school  
1381 ~~child~~ to attend an eligible private school.

1382 ~~5.3.~~ Require his or her student participating in the  
1383 program to remain in attendance at the eligible private school  
1384 throughout the school year unless excused by the school for  
1385 illness or other good cause and comply with the private school's  
1386 published policies.

1387 ~~6.4.~~ Meet with the eligible private school's principal or  
1388 the principal's designee to review the school's academic  
1389 programs and policies, specialized services, code of student  
1390 conduct, and attendance policies before enrollment ~~in the~~  
1391 ~~private school.~~

1392 ~~7.5.~~ Require his or her student participating in the  
1393 program to take the norm-referenced assessment offered by the  
1394 participating private school. The parent may also choose to have  
1395 the student participate in the statewide assessments pursuant to  
1396 s. 1008.22. If the parent requests that the student  
1397 participating in the ~~scholarship~~ program take statewide  
1398 assessments pursuant to s. 1008.22 and the participating private  
1399 school has not chosen to offer and administer the statewide  
1400 assessments, the parent is responsible for transporting the

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1401 student to the assessment site designated by the school  
1402 district.

1403 ~~8.6.~~ Approve each payment before the scholarship funds may  
1404 be deposited by funds transfer. The parent may not designate any  
1405 entity or individual associated with the participating private  
1406 school as the parent's attorney in fact to approve a funds  
1407 transfer. A participant who fails to comply with this paragraph  
1408 forfeits the scholarship.

1409 ~~9.7.~~ Authorize the nonprofit scholarship-funding  
1410 organization to access information needed for income eligibility  
1411 determination and verification held by other state or federal  
1412 agencies, including the Department of Revenue, the Department of  
1413 Children and Families, the Department of Education, the  
1414 Department of Commerce ~~Economic Opportunity~~, and the Agency for  
1415 Health Care Administration, for students seeking priority  
1416 eligibility.

1417 ~~10.8.~~ Agree to have the organization commit scholarship  
1418 funds on behalf of his or her student for tuition and fees for  
1419 which the parent is responsible for payment at the participating  
1420 private school before using scholarship ~~empowerment~~ account  
1421 funds for additional authorized uses under paragraph (6) (d). A  
1422 parent is responsible for all eligible expenses in excess of the  
1423 amount of the scholarship.

1424 11. Comply with the scholarship application and renewal  
1425 processes and requirements established by the organization.

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1426 (b) A parent whose student will not be enrolled full time  
1427 in a public or private school must:

1428 1. Apply to an eligible nonprofit scholarship-funding  
1429 organization to participate in the program as a personalized  
1430 education student by a date set by the organization. The request  
1431 must be communicated directly to the organization in a manner  
1432 that creates a written or electronic record of the request and  
1433 the date of receipt of the request. Beginning with new and  
1434 renewal applications for the 2025-2026 school year and  
1435 thereafter, notify the organization by May 31 that the  
1436 scholarship is being accepted, renewed, or declined.

1437 2. Sign an agreement with the organization and annually  
1438 submit a sworn compliance statement to the organization to  
1439 satisfy or maintain program eligibility, including eligibility  
1440 to receive and spend program payments, by:

1441 a. Affirming that the program funds are used only for  
1442 authorized purposes serving the student's educational needs, as  
1443 described in paragraph (6)(d), and that they will not receive a  
1444 payment, refund, or rebate of any funds provided under this  
1445 section.

1446 b. Affirming that the parent is responsible for all  
1447 eligible expenses in excess of the amount of the scholarship and  
1448 for the education of his or her student.

1449 c. Submitting a student learning plan to the organization  
1450 and revising the plan at least annually before program renewal.

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1451 d. Requiring his or her student to take a nationally norm-  
1452 referenced test identified by the Department of Education, or a  
1453 statewide assessment under s. 1008.22, and provide assessment  
1454 results to the organization before the student's program  
1455 renewal.

1456 e. Complying with the scholarship application and renewal  
1457 processes and requirements established by the organization  
1458 ~~Renewing participation in the program each year.~~ A student whose  
1459 participation in the program is not renewed may continue to  
1460 spend scholarship funds that are in his or her account from  
1461 prior years unless the account must be closed pursuant to s.  
1462 1002.394(5)(a)2.

1463 f. Procuring the services necessary to educate the  
1464 student. When the student receives a scholarship, the district  
1465 school board is not obligated to provide the student with a free  
1466 appropriate public education.

1467 (c) A parent may not apply for multiple scholarships under  
1468 this section and s. 1002.394 for an individual student at the  
1469 same time.

1470  
1471 An eligible nonprofit scholarship-funding organization may not  
1472 further regulate, exercise control over, or require  
1473 documentation beyond the requirements of this subsection unless  
1474 the regulation, control, or documentation is necessary for  
1475 participation in the program.

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1476 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An  
1477 eligible private school may be sectarian or nonsectarian and  
1478 must:

1479 (a) Comply with all requirements for private schools  
1480 participating in state school choice scholarship programs  
1481 pursuant to s. 1002.421.

1482 (b) Provide to the organization all documentation required  
1483 for a student's participation, including confirmation of the  
1484 student's admission to the private school, the private school's  
1485 and student's fee schedules, and any other information required  
1486 by the organization to process scholarship payment pursuant to  
1487 paragraph (11) (c). Such information must be provided by the  
1488 deadlines established by the organization and in accordance with  
1489 the requirements of this section. A student is not eligible to  
1490 receive a quarterly scholarship payment if the private school  
1491 fails to meet the deadline.

1492 (c) ~~(b)~~1. Annually administer or make provision for  
1493 students participating in the scholarship program in grades 3  
1494 through 10 to take one of the nationally norm-referenced tests  
1495 identified by the department of ~~Education~~ or the statewide  
1496 assessments pursuant to s. 1008.22. Students with disabilities  
1497 for whom standardized testing is not appropriate are exempt from  
1498 this requirement. A participating private school must report a  
1499 student's scores to the parent. A participating private school  
1500 must annually report by August 15 the scores of all

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1501 participating students to a state university described in  
1502 paragraph (9)(f).

1503 2. Administer the statewide assessments pursuant to s.  
1504 1008.22 if a participating private school chooses to offer the  
1505 statewide assessments. A participating private school may choose  
1506 to offer and administer the statewide assessments to all  
1507 students who attend the participating private school in grades 3  
1508 through 10 and must submit a request in writing to the  
1509 Department of Education by March 1 of each year in order to  
1510 administer the statewide assessments in the subsequent school  
1511 year.

1512  
1513 If a participating private school fails to meet the requirements  
1514 of this subsection or s. 1002.421, the commissioner may  
1515 determine that the participating private school is ineligible to  
1516 participate in the scholarship program.

1517 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of  
1518 Education shall:

1519 (d) Notify eligible nonprofit scholarship-funding  
1520 organizations of the deadlines for submitting the verified list  
1521 of eligible scholarship students; cross-check the verified list  
1522 of participating scholarship students with the public school  
1523 enrollment lists to avoid duplication; and, when the Florida  
1524 Education Finance Program is recalculated, adjust the amount of  
1525 state funds allocated to school districts through the Florida

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1526 Education Finance Program based upon the results of the cross-  
1527 check.

1528 (e) Maintain and annually publish a list of nationally  
1529 norm-referenced tests identified for purposes of satisfying the  
1530 testing requirement in subparagraph (8)(c)1. ~~(8)(b)1.~~ The tests  
1531 must meet industry standards of quality in accordance with State  
1532 Board of Education rule.

1533 (f) Issue a project grant award to a state university, to  
1534 which participating private schools and eligible nonprofit  
1535 scholarship-funding organizations must report the scores of  
1536 participating students on the nationally norm-referenced tests  
1537 or the statewide assessments administered in grades 3 through  
1538 10. The project term is 2 years, and the amount of the project  
1539 is up to \$250,000 per year. The project grant award must be  
1540 reissued in 2-year intervals in accordance with this paragraph.

1541 1. The state university must annually report to the  
1542 Department of Education on the student performance of  
1543 participating students and, beginning with the 2027-2028 school  
1544 year, on the performance of personalized education students:

1545 a. On a statewide basis. The report shall also include, to  
1546 the extent possible, a comparison of scholarship students'  
1547 performance to the statewide student performance of public  
1548 school students with socioeconomic backgrounds similar to those  
1549 of students participating in the scholarship program. To  
1550 minimize costs and reduce time required for the state

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1551 university's analysis and evaluation, the Department of  
1552 Education shall coordinate with the state university to provide  
1553 data to the state university in order to conduct analyses of  
1554 matched students from public school assessment data and  
1555 calculate control group student performance using an agreed-upon  
1556 methodology with the state university; and

1557       b. On an individual school basis for students enrolled  
1558 full time in a private school. The annual report must include  
1559 student performance for each participating private school in  
1560 which enrolled students in the private school participated in a  
1561 scholarship program under this section ~~or~~ s. 1002.394(12) (a) ~~r~~  
1562 ~~or s. 1002.40~~ in the prior school year. The report shall be  
1563 according to each participating private school, and for  
1564 participating students, in which there are at least 30  
1565 participating students who have scores for tests administered.  
1566 If the state university determines that the 30-participating-  
1567 student cell size may be reduced without disclosing personally  
1568 identifiable information, as described in 34 C.F.R. s. 99.12, of  
1569 a participating student, the state university may reduce the  
1570 participating-student cell size, but the cell size must not be  
1571 reduced to less than 10 participating students. The department  
1572 shall provide each participating private school's prior school  
1573 year's student enrollment information to the state university no  
1574 later than June 15 of each year, or as requested by the state  
1575 university.

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1576           2. The sharing and reporting of student performance data  
1577 under this paragraph must be in accordance with requirements of  
1578 ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g, the Family  
1579 Educational Rights and Privacy Act, and the applicable rules and  
1580 regulations issued pursuant thereto, and shall be for the sole  
1581 purpose of creating the annual report required by subparagraph  
1582 1. All parties must preserve the confidentiality of such  
1583 information as required by law. The annual report must not  
1584 disaggregate data to a level that will identify individual  
1585 participating schools, except as required under sub-subparagraph  
1586 1.b., or disclose the academic level of individual students.

1587           3. The annual report required by subparagraph 1. shall be  
1588 published by the Department of Education on its website.

1589           (i) Require quarterly reports by an eligible nonprofit  
1590 scholarship-funding organization regarding the number of  
1591 students participating in the ~~scholarship~~ program; the private  
1592 schools at which the students are enrolled; the number of  
1593 scholarship applications received, the number of applications  
1594 processed within 30 days after receipt, and the number of  
1595 incomplete applications received; data related to reimbursement  
1596 submissions, including the average number of days for a  
1597 reimbursement to be reviewed and the average number of days for  
1598 a reimbursement to be approved; any parent input and feedback  
1599 collected regarding the program; and any other information  
1600 deemed necessary by the Department of Education.

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1601 (10) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.—

1602 (b) Upon the request of the Department of Education, a  
1603 school district shall coordinate with the department to provide  
1604 to a participating private school the statewide assessments  
1605 administered under s. 1008.22 and any related materials for  
1606 administering the assessments. A school district is responsible  
1607 for implementing test administrations at a participating private  
1608 school, including the:

1609 1. Provision of training for participating private school  
1610 staff on test security and assessment administration procedures;

1611 2. Distribution of testing materials to a participating  
1612 private school;

1613 3. Retrieval of testing materials from a participating  
1614 private school;

1615 4. Provision of the required format for a participating  
1616 private school to submit information to the district for test  
1617 administration and enrollment purposes; and

1618 5. Provision of any required assistance, monitoring, or  
1619 investigation at a participating private school.

1620 (11) SCHOLARSHIP AMOUNT AND PAYMENT.—

1621 (c) If a scholarship student is attending an eligible  
1622 private school full time, the initial payment shall be made  
1623 after the organization's verification of admission acceptance,  
1624 and subsequent payments shall be made upon verification of  
1625 continued enrollment and attendance at the eligible private

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1626 school. Payments shall be made within 7 business days after  
1627 approval by the parent pursuant to paragraph (7) (a) and the  
1628 private school pursuant to paragraph (8) (b). An eligible  
1629 ~~nonprofit scholarship-funding organization shall obtain~~  
1630 ~~verification from the private school of a student's continued~~  
1631 ~~attendance at the school for each period covered by a~~  
1632 ~~scholarship payment.~~

1633 (f) A scholarship awarded to an eligible student shall  
1634 remain in force until:

1635 1. The organization determines that the student is not  
1636 eligible for program renewal;

1637 2. The Commissioner of Education suspends or revokes  
1638 program participation or use of funds;

1639 3. The student's parent has forfeited participation in the  
1640 program for failure to comply with subsection (7);

1641 4. The student who uses the scholarship for full-time  
1642 tuition and fees at an eligible private school pursuant to  
1643 subparagraph (6) (d)2. enrolls full time in a public school.

1644 However, if a student enters a Department of Juvenile Justice  
1645 detention center for a period of no more than 21 days, the  
1646 student is not considered to have returned to a public school on  
1647 a full-time basis for that purpose; or

1648 5. The student graduates from high school or attains 21  
1649 years of age, whichever occurs first.

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1650 (h) A student's scholarship account must be closed and any  
1651 remaining funds shall revert to the state after:

1652 1. Denial or revocation of program eligibility by the  
1653 commissioner for fraud or abuse, including, but not limited to,  
1654 the student or student's parent accepting any payment, refund,  
1655 or rebate, in any manner, from a provider of any services  
1656 received pursuant to paragraph (6)(d); ~~or~~

1657 2. Two consecutive fiscal years in which an account has  
1658 been inactive; or

1659 3. The student remains unenrolled in an eligible private  
1660 school for 30 days while receiving a scholarship that requires  
1661 full-time enrollment.

1662 (i) Moneys received pursuant to this section do not  
1663 constitute taxable income to the qualified student or the parent  
1664 of the qualified student.

1665 Section 6. Section 1002.40, Florida Statutes, is repealed.

1666 Section 7. Paragraph (i) of subsection (1) of section  
1667 1002.421, Florida Statutes, is amended to read:

1668 1002.421 State school choice scholarship program  
1669 accountability and oversight.—

1670 (1) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—A private  
1671 school participating in an educational scholarship program  
1672 established pursuant to this chapter must be a private school as  
1673 defined in s. 1002.01 in this state, be registered, and be in  
1674 compliance with all requirements of this section in addition to

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1675 private school requirements outlined in s. 1002.42, specific  
1676 requirements identified within respective scholarship program  
1677 laws, and other provisions of Florida law that apply to private  
1678 schools, and must:

1679 (i) Maintain a physical location in the state at which  
1680 each student receiving in-classroom instruction has regular and  
1681 direct contact with teachers and maintain remote means of  
1682 contact by which each student receiving virtual instruction has  
1683 regular and direct contact with teachers.

1684 -----  
1685  
1686 **T I T L E A M E N D M E N T**

1687 Remove lines 19-75 and insert:  
1688 act; amending s. 1002.01, F.S.; revising the  
1689 definition of the term "private school"; amending s.  
1690 1002.394, F.S.; revising eligibility requirements for  
1691 the Family Empowerment Scholarship Program; providing  
1692 that equipment used as instructional materials may  
1693 only be purchased for specified academic subjects;  
1694 providing that transition services are a coordinated  
1695 set of specified activities; authorizing funds to be  
1696 used for certain prekindergarten programs; prohibiting  
1697 certain eligible students from enrolling in public  
1698 schools; providing an exemption to a prohibition  
1699 against receiving other educational scholarships;

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1700 providing additional criteria for the closure of  
1701 scholarship accounts and the reversion of funds to the  
1702 state; revising the information that such  
1703 organizations must include in their quarterly reports;  
1704 authorizing the Department of Education to provide  
1705 guidance to certain private schools; revising the  
1706 documentation that private schools must provide to  
1707 such organizations; revising the process for parents  
1708 to provide certain notification to such organizations;  
1709 prohibiting a parent from applying for multiple  
1710 scholarships under specified programs for a single  
1711 student at the same time; requiring such organizations  
1712 to establish certain processes; requiring such  
1713 organizations to submit specified information to the  
1714 department; deleting a requirement that certain  
1715 students be placed on a wait list; requiring such  
1716 organizations to provide certain notification to  
1717 parents; revising provisions relating to a specified  
1718 administrative fee; revising provisions relating to  
1719 increasing the number of certain scholarships;  
1720 revising provisions relating to the payment and  
1721 disbursement of funds; amending s. 1002.395, F.S.;  
1722 revising definitions for the Florida Tax Credit  
1723 Scholarship Program; revising eligibility requirements  
1724 for the program; prohibiting certain eligible students

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1725 from enrolling in public schools; providing an  
1726 exemption to a prohibition against receiving other  
1727 educational scholarships; providing that equipment  
1728 used as instructional materials may only be purchased  
1729 for specified academic subjects; revising the process  
1730 for parents to provide certain notification to such  
1731 organizations; prohibiting a parent from applying for  
1732 multiple scholarships under specified programs for a  
1733 single student at the same time; requiring such  
1734 organizations to establish certain processes;  
1735 requiring such organizations to assist the Florida  
1736 Center for Students with Unique Abilities with the  
1737 development of specified guidelines and to publish  
1738 such guidelines on their websites; revising department  
1739 notification requirements; revising the information  
1740 that such organizations must include in their  
1741 quarterly reports; revising provisions relating to the  
1742 payment and disbursement of funds; repealing s.  
1743 1002.40, F.S., relating to the Hope Scholarship  
1744 Program; amending s. 1002.421, F.S.; revising  
1745 requirements for private schools participating in  
1746 certain educational scholarship programs; revising  
1747 requirements for regular and direct contact for  
1748 certain students; amending s. 1002.45, F.S.; deleting

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