

1                                    A bill to be entitled  
2        An act relating to school choice; amending s.  
3        212.1832, F.S.; providing definitions; expanding the  
4        credit contributions for eligible nonprofit  
5        scholarship-funding organizations; providing  
6        requirements for such contributions; providing  
7        requirements for dealers, designated agents, private  
8        tag agents, and such organizations relating to such  
9        contributions; providing criminal penalties; requiring  
10       persons convicted of specified offenses to make  
11       restitutions to certain eligible nonprofit  
12       scholarship-funding organizations; requiring the  
13       Department of Revenue to notify such organizations of  
14       specified dealer information under certain  
15       circumstances; providing penalties for certain  
16       dealers, designated agents, private tag agents, and  
17       such organizations; amending s. 213.053, F.S.;  
18       conforming cross-references to changes made by the  
19       act; amending s. 1002.394, F.S.; revising eligibility  
20       requirements for the Family Empowerment Scholarship  
21       Program; providing that instructional materials may  
22       only include equipment for specified academic  
23       subjects; providing that transition services are a  
24       coordinated set of specified activities; authorizing  
25       funds to be used for certain prekindergarten programs;

26 | prohibiting certain eligible students from enrolling  
27 | in public schools; providing an exemption to a  
28 | prohibition against receiving other educational  
29 | scholarships; providing additional criteria for the  
30 | closure of scholarship accounts and the reversion of  
31 | funds to the state; revising the information that such  
32 | organizations must include in their quarterly reports;  
33 | authorizing the Department of Education to provide  
34 | guidance to certain private schools; revising the  
35 | documentation that private schools must provide to  
36 | such organizations; revising the process for parents  
37 | to provide certain notification to such organizations;  
38 | requiring such organizations to establish certain  
39 | processes; requiring such organizations to submit  
40 | specified information to the department; deleting a  
41 | requirement that certain students be placed on a wait  
42 | list; requiring such organizations to provide certain  
43 | notification to parents; revising provisions relating  
44 | to a specified administrative fee; revising provisions  
45 | relating to increasing the number of certain  
46 | scholarships; revising provisions relating to the  
47 | payment and disbursement of funds; amending s.  
48 | 1002.395, F.S.; revising eligibility requirements for  
49 | the Florida Tax Credit Scholarship Program;  
50 | prohibiting certain eligible students from enrolling

51 in public schools; providing an exemption to a  
52 prohibition against receiving other educational  
53 scholarships; providing that instructional materials  
54 may only include equipment for certain academic  
55 subjects; revising the process for parents to provide  
56 certain notification to such organizations; requiring  
57 such organizations to establish certain processes;  
58 requiring such organizations to assist the Florida  
59 Center for Students with Unique Abilities with the  
60 development of specified guidelines and to publish  
61 such guidelines on their websites; revising department  
62 notification requirements; revising the information  
63 that such organizations must include in their  
64 quarterly reports; revising provisions relating to the  
65 payment and disbursement of funds; repealing s.  
66 1002.40, F.S., relating to the Hope Scholarship  
67 Program; amending s. 1002.421, F.S.; revising  
68 requirements for regular and direct contact for  
69 certain students; amending s. 1002.45, F.S.; deleting  
70 a requirement that virtual instruction program  
71 providers be nonsectarian; amending s. 1003.4156,  
72 F.S.; providing that certain requirements apply to  
73 middle grade students transferring from a personalized  
74 education program; amending s. 1003.4282, F.S.;  
75 providing that certain requirements apply to high

76 school students transferring from a personalized  
 77 education program; amending s. 1003.485, F.S.;  
 78 conforming cross-references to changes made by the  
 79 act; amending s. 1004.6495, F.S.; requiring the  
 80 Florida Center for Students with Unique Abilities to  
 81 develop specified purchasing guidelines by a specified  
 82 date and annually revise such guidelines; providing  
 83 requirements for the development and revision of such  
 84 guidelines; requiring such guidelines to be provided  
 85 to specified eligible nonprofit scholarship-funding  
 86 organizations; providing effective dates.

87

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

89

90 Section 1. Section 212.1832, Florida Statutes, is amended  
 91 to read:

92 212.1832 Credit for contributions to eligible nonprofit  
 93 scholarship-funding organizations.—

94 (1) DEFINITIONS.—As used in this section, the term:

95 (a) "Designated agent" has the same meaning as in s.  
 96 212.06(10).

97 (b) "Eligible contribution" or "contribution" means a  
 98 monetary contribution from a person purchasing a motor vehicle,  
 99 subject to the restrictions provided in this section, to an  
 100 eligible nonprofit scholarship-funding organization. The person

101 making the contribution may not designate a specific student as  
102 the beneficiary of the contribution.

103 (c) "Eligible nonprofit scholarship-funding organization"  
104 or "organization" has the same meaning as in s. 1002.395(2).

105 (d) "Motor vehicle" has the same meaning as in s.  
106 320.01(1)(a), but does not include a heavy truck, truck tractor,  
107 trailer, or motorcycle.

108 (2)-(1) The purchaser of a motor vehicle shall be granted a  
109 credit of 100 percent of an eligible contribution made to an  
110 eligible nonprofit scholarship-funding organization under this  
111 section s. 1002.40 against any tax imposed by the state under  
112 this chapter and collected from the purchaser by a dealer,  
113 designated agent, or private tag agent as a result of the  
114 purchase or acquisition of a motor vehicle, except that a credit  
115 may not exceed the tax that would otherwise be collected from  
116 the purchaser by a dealer, designated agent, or private tag  
117 agent. Each eligible contribution is limited to a single payment  
118 of \$105 per motor vehicle purchased at the time of purchase of a  
119 motor vehicle or a single payment of \$105 per motor vehicle  
120 purchased at the time of registration of a motor vehicle that  
121 was not purchased from a dealer, except that a contribution may  
122 not exceed the state tax imposed under this chapter that would  
123 otherwise be collected from the purchaser by a dealer,  
124 designated agent, or private tag agent. Payments of  
125 contributions shall be made to a dealer at the time of purchase

126 of a motor vehicle or to a designated agent or private tag agent  
 127 at the time of registration of a motor vehicle that was not  
 128 purchased from a dealer. An eligible contribution shall be  
 129 accompanied by a contribution election form provided by the  
 130 Department of Revenue. The form shall include, at a minimum, the  
 131 following brief description of the Florida Tax Credit  
 132 Scholarship Program: "THE FLORIDA TAX CREDIT SCHOLARSHIP PROGRAM  
 133 PROVIDES A STUDENT THE OPPORTUNITY TO APPLY FOR A SCHOLARSHIP TO  
 134 ATTEND AN ELIGIBLE PRIVATE SCHOOL OR PERSONALIZE HIS OR HER  
 135 EDUCATION." The form shall also include, at a minimum, a section  
 136 allowing the consumer to designate, from all participating  
 137 scholarship-funding organizations, which organization will  
 138 receive his or her donation. For purposes of this subsection,  
 139 the term "purchase" does not include the lease or rental of a  
 140 motor vehicle.

141 (3)-(2) A dealer shall take a credit against any tax  
 142 imposed by the state under this chapter on the purchase of a  
 143 motor vehicle in an amount equal to the credit granted to the  
 144 purchaser under subsection (2) ~~(1)~~.

145 (a) A dealer, designated agent, or private tag agent  
 146 shall:

147 1. Provide the purchaser the contribution election form,  
 148 as provided by the department, at the time of purchase of a  
 149 motor vehicle or at the time of registration of a motor vehicle  
 150 that was not purchased from a dealer.

151 2. Collect eligible contributions.

152 3. Using a form provided by the department, which shall  
153 include the dealer's or agent's federal employer identification  
154 number, remit to an organization no later than the date the  
155 return filed pursuant to s. 212.11 is due the total amount of  
156 contributions made to that organization and collected during the  
157 preceding reporting period. Using the same form, the dealer or  
158 agent shall also report this information to the department no  
159 later than the date the return filed pursuant to s. 212.11 is  
160 due.

161 4. Report to the department on each return filed pursuant  
162 to s. 212.11 the total amount of credits granted under this  
163 section for the preceding reporting period.

164 (b) An eligible nonprofit scholarship-funding organization  
165 shall report to the department, on or before the 20th day of  
166 each month, the total amount of contributions received pursuant  
167 to paragraph (a) in the preceding calendar month on a form  
168 provided by the department. Such report shall include:

169 1. The federal employer identification number of each  
170 designated agent, private tag agent, or dealer who remitted  
171 contributions to the organization during that reporting period.

172 2. The amount of contributions received from each  
173 designated agent, private tag agent, or dealer during that  
174 reporting period.

175 (c) A person who, with the intent to unlawfully deprive or

176 defraud the program of its moneys or the use or benefit thereof,  
177 fails to remit a contribution collected under this section is  
178 guilty of theft, punishable as follows:

179 1. If the total amount stolen is less than \$300, the  
180 offense is a misdemeanor of the second degree, punishable as  
181 provided in s. 775.082 or s. 775.083. Upon a second conviction,  
182 the offender commits a misdemeanor of the first degree,  
183 punishable as provided in s. 775.082 or s. 775.083. Upon a third  
184 or subsequent conviction, the offender commits a felony of the  
185 third degree, punishable as provided in s. 775.082, s. 775.083,  
186 or s. 775.084.

187 2. If the total amount stolen is \$300 or more, but less  
188 than \$20,000, the offense is a felony of the third degree,  
189 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

190 3. If the total amount stolen is \$20,000 or more, but less  
191 than \$100,000, the offense is a felony of the second degree,  
192 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

193 4. If the total amount stolen is \$100,000 or more, the  
194 offense is a felony of the first degree, punishable as provided  
195 in s. 775.082, s. 775.083, or s. 775.084.

196 (d) A person convicted of an offense under paragraph (c)  
197 shall be ordered by the sentencing judge to make restitution to  
198 the organization in the amount that was stolen from the program.

199 (e) Upon a finding that a dealer failed to remit a  
200 contribution under subparagraph (a)3. for which the dealer



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201 claimed a credit pursuant to this subsection, the department  
202 shall notify the affected organizations of the dealer's name,  
203 address, federal employer identification number, and information  
204 related to differences between credits taken by the dealer  
205 pursuant to this subsection and amounts remitted to the eligible  
206 nonprofit scholarship-funding organization under subparagraph  
207 (a)3.

208 (f) Any dealer, designated agent, private tag agent, or  
209 organization that fails to timely submit reports to the  
210 department as required in paragraphs (a) and (b) is subject to a  
211 penalty of \$1,000 for every month, or part thereof, the report  
212 is not submitted, up to a maximum amount of \$10,000. Such  
213 penalty shall be collected by the department and shall be  
214 transferred into the General Revenue Fund. Such penalty must be  
215 settled or compromised if it is determined by the department  
216 that the noncompliance is due to reasonable cause and not due to  
217 willful negligence, willful neglect, or fraud.

218 (4)-(3) For purposes of the distributions of tax revenue  
219 under s. 212.20, the department shall disregard any tax credits  
220 allowed under this section to ensure that any reduction in tax  
221 revenue received that is attributable to the tax credits results  
222 only in a reduction in distributions to the General Revenue  
223 Fund. Section 1002.395 applies ~~The provisions of s. 1002.40~~  
224 ~~apply~~ to the credit authorized by this section.

225 Section 2. Paragraph (a) of subsection (22) of section

226 | 213.053, Florida Statutes, is amended to read:

227 |       213.053 Confidentiality and information sharing.—

228 |       (22) (a) The department may provide to an eligible  
 229 | nonprofit scholarship-funding organization, as defined in s.  
 230 | 1002.395 ~~s. 1002.40~~, a dealer's name, address, federal employer  
 231 | identification number, and information related to differences  
 232 | between credits taken by the dealer pursuant to s. 212.1832(2)  
 233 | and amounts remitted to the eligible nonprofit scholarship-  
 234 | funding organization pursuant to s. 212.1832(3) (a)3. ~~under s.~~  
 235 | ~~1002.40(13) (b)3.~~ The eligible nonprofit scholarship-funding  
 236 | organization may use the information for purposes of recovering  
 237 | eligible contributions designated for that organization that  
 238 | were collected by the dealer but never remitted to the  
 239 | organization.

240 |       Section 3. Subsections (3) and (4), paragraphs (a), (b),  
 241 | and (c) of subsection (5), paragraphs (a), (c), and (d) of  
 242 | subsection (6), paragraph (d) of subsection (7), paragraph (a)  
 243 | of subsection (8), paragraph (b) of subsection (9), and  
 244 | subsections (10), (11), (12), and (16) of section 1002.394,  
 245 | Florida Statutes, as amended by chapter 2023-250, Laws of  
 246 | Florida, are amended, and paragraph (d) is added to subsection  
 247 | (8) of that section, to read:

248 |       1002.394 The Family Empowerment Scholarship Program.—

249 |       (3) SCHOLARSHIP ELIGIBILITY.—

250 |       (a)1. A parent of a student may apply for ~~request~~ and

251 receive from the state a scholarship for the purposes specified  
 252 in paragraph (4)(a) if the student:

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

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

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

260 a. A student whose household income level does not exceed  
 261 185 percent of the federal poverty level or who is in foster  
 262 care or out-of-home care.

263 b. A student whose household income level exceeds 185  
 264 percent of the federal poverty level, but does not exceed 400  
 265 percent of the federal poverty level.

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

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

274 2. Is 3 or 4 years of age during ~~on or before September 1~~  
 275 ~~of~~ the year in which the student applies for program

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276 participation or is eligible to enroll in kindergarten through  
277 grade 12 in a public school in this state;

278 3. Has a disability as defined in subsection (2); and

279 4. Is the subject of an IEP written in accordance with  
280 rules of the State Board of Education or with the applicable  
281 rules of another state or has received a diagnosis of a  
282 disability from a physician who is licensed under chapter 458 or  
283 chapter 459, a psychologist who is licensed under chapter 490,  
284 or a physician who holds an active license issued by another  
285 state or territory of the United States, the District of  
286 Columbia, or the Commonwealth of Puerto Rico.

287 ~~(c) An approved student who does not receive a scholarship~~  
288 ~~must be placed on the wait list in the order in which the~~  
289 ~~student is approved. An eligible student who does not receive a~~  
290 ~~scholarship within the fiscal year must be retained on the wait~~  
291 ~~list for the subsequent year.~~

292 (4) AUTHORIZED USES OF PROGRAM FUNDS.—

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

295 1. Tuition and fees at an eligible private school.

296 2. Transportation to a Florida public school in which a  
297 student is enrolled and that is different from the school to  
298 which the student was assigned or to a lab school as defined in  
299 s. 1002.32.

300 3. Instructional materials, including digital materials

301 and Internet resources. Instructional materials shall only  
302 include equipment for subjects in language arts and reading,  
303 mathematics, social studies, and science.

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

305 5. Tuition and fees associated with full-time or part-time  
306 enrollment in an eligible postsecondary educational institution  
307 or a program offered by the postsecondary educational  
308 institution, unless the program is subject to s. 1009.25 or  
309 reimbursed pursuant to s. 1009.30; an approved preapprenticeship  
310 program as defined in s. 446.021(5) which is not subject to s.  
311 1009.25 and complies with all applicable requirements of the  
312 department pursuant to chapter 1005; a private tutoring program  
313 authorized under s. 1002.43; a virtual program offered by a  
314 department-approved private online provider that meets the  
315 provider qualifications specified in s. 1002.45(2)(a); the  
316 Florida Virtual School as a private paying student; or an  
317 approved online course offered pursuant to s. 1003.499 or s.  
318 1004.0961.

319 6. Fees for nationally standardized, norm-referenced  
320 achievement tests, Advanced Placement Examinations, industry  
321 certification examinations, assessments related to postsecondary  
322 education, or other assessments.

323 7. Contracted services provided by a public school or  
324 school district, including classes. A student who receives  
325 contracted services under this subparagraph is not considered

326 enrolled in a public school for eligibility purposes as  
 327 specified in subsection (6) but rather attending a public school  
 328 on a part-time basis as authorized under s. 1002.44.

329 8. Tuition and fees for part-time tutoring services or  
 330 fees for services provided by a choice navigator. Such services  
 331 must be provided by a person who holds a valid Florida  
 332 educator's certificate pursuant to s. 1012.56, a person who  
 333 holds an adjunct teaching certificate pursuant to s. 1012.57, a  
 334 person who has a bachelor's degree or a graduate degree in the  
 335 subject area in which instruction is given, a person who has  
 336 demonstrated a mastery of subject area knowledge pursuant to s.  
 337 1012.56(5), or a person certified by a nationally or  
 338 internationally recognized research-based training program as  
 339 approved by the department. As used in this subparagraph, the  
 340 term "part-time tutoring services" does not qualify as regular  
 341 school attendance as defined in s. 1003.01(16)(e).

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

345 1. Instructional materials, including digital devices,  
 346 digital periphery devices, and assistive technology devices that  
 347 allow a student to access instruction or instructional content  
 348 and training on the use of and maintenance agreements for these  
 349 devices.

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

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

354           a. Applied behavior analysis services as provided in ss.  
355 627.6686 and 641.31098.

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

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

359           d. Services provided by physical therapists as defined in  
360 s. 486.021(8).

361           e. Services provided by listening and spoken language  
362 specialists and an appropriate acoustical environment for a  
363 child who has a hearing impairment, including deafness, and who  
364 has received an implant or assistive hearing device.

365           4. Tuition and fees associated with full-time or part-time  
366 enrollment in a home education program; an eligible private  
367 school; an eligible postsecondary educational institution or a  
368 program offered by the postsecondary educational institution,  
369 unless the program is subject to s. 1009.25 or reimbursed  
370 pursuant to s. 1009.30; an approved preapprenticeship program as  
371 defined in s. 446.021(5) which is not subject to s. 1009.25 and  
372 complies with all applicable requirements of the department  
373 pursuant to chapter 1005; a private tutoring program authorized  
374 under s. 1002.43; a virtual program offered by a department-  
375 approved private online provider that meets the provider

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

379 |       5. Fees for nationally standardized, norm-referenced  
380 | achievement tests, Advanced Placement Examinations, industry  
381 | certification examinations, assessments related to postsecondary  
382 | education, or other assessments.

383 |       6. Contributions to the Stanley G. Tate Florida Prepaid  
384 | College Program pursuant to s. 1009.98 or the Florida College  
385 | Savings Program pursuant to s. 1009.981 for the benefit of the  
386 | eligible student.

387 |       7. Contracted services provided by a public school or  
388 | school district, including classes. A student who receives  
389 | services under a contract under this paragraph is not considered  
390 | enrolled in a public school for eligibility purposes as  
391 | specified in subsection (6) but rather attending a public school  
392 | on a part-time basis as authorized under s. 1002.44.

393 |       8. Tuition and fees for part-time tutoring services or  
394 | fees for services provided by a choice navigator. Such services  
395 | must be provided by a person who holds a valid Florida  
396 | educator's certificate pursuant to s. 1012.56, a person who  
397 | holds an adjunct teaching certificate pursuant to s. 1012.57, a  
398 | person who has a bachelor's degree or a graduate degree in the  
399 | subject area in which instruction is given, a person who has  
400 | demonstrated a mastery of subject area knowledge pursuant to s.



401 1012.56(5), or a person certified by a nationally or  
402 internationally recognized research-based training program as  
403 approved by the department. As used in this subparagraph, the  
404 term "part-time tutoring services" does not qualify as regular  
405 school attendance as defined in s. 1003.01(16)(e).

406 9. Fees for specialized summer education programs.

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

408 11. Transition services provided by job coaches.

409 Transition services are a coordinated set of activities which  
410 are focused on improving the academic and functional achievement  
411 of a student with a disability to facilitate the student's  
412 movement from school to postschool activities and are based on  
413 the student's needs.

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

417 13. Tuition and fees associated with programs offered by  
418 Voluntary Prekindergarten Education Program providers approved  
419 pursuant to s. 1002.55, ~~and~~ school readiness providers approved  
420 pursuant to s. 1002.88, and prekindergarten programs offered by  
421 an eligible private school.

422 14. Fees for services provided at a center that is a  
423 member of the Professional Association of Therapeutic  
424 Horsemanship International.

425 15. Fees for services provided by a therapist who is

426 certified by the Certification Board for Music Therapists or  
 427 credentialed by the Art Therapy Credentials Board, Inc.

428 (5) TERM OF SCHOLARSHIP.—For purposes of continuity of  
 429 educational choice:

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

432 a. The organization determines that the student is not  
 433 eligible for program renewal;

434 b. The Commissioner of Education suspends or revokes  
 435 program participation or use of funds;

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

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

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

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

448 (I) Denial or revocation of program eligibility by the  
 449 commissioner for fraud or abuse, including, but not limited to,  
 450 the student or student's parent accepting any payment, refund,

451 or rebate, in any manner, from a provider of any services  
 452 received pursuant to paragraph (4)(a); ~~or~~

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

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

458 b. Reimbursements for program expenditures may continue  
 459 until the account balance is expended or remaining funds have  
 460 reverted to the state.

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

463 a. The parent does not renew program eligibility;

464 b. The organization determines that the student is not  
 465 eligible for program renewal;

466 c. The Commissioner of Education suspends or revokes  
 467 program participation or use of funds;

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

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

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

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

475 3. A student's scholarship account must be closed and any

476 remaining funds, including, but not limited to, contributions  
 477 made to the Stanley G. Tate Florida Prepaid College Program or  
 478 earnings from or contributions made to the Florida College  
 479 Savings Program using program funds pursuant to subparagraph  
 480 (4)(b)6., shall revert to the state after:

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

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

490 c. Two consecutive fiscal years in which an account has  
 491 been inactive.

492 (c) Upon reasonable notice to the organization and the  
 493 school district, the student's parent may remove the student  
 494 from the participating private school and place the student in a  
 495 public school in accordance with this section.

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

498 (a) Enrolled full time in a public school, including, but  
 499 not limited to, the Florida School for the Deaf and the Blind,  
 500 the College-Preparatory Boarding Academy, the Florida School for

501 Competitive Academics, the Florida Virtual School, the Florida  
502 Scholars Academy, a developmental research school authorized  
503 under s. 1002.32, or a charter school authorized under this  
504 chapter. For purposes of this paragraph, a 3- or 4-year-old  
505 child who receives services funded through the Florida Education  
506 Finance Program is considered to be a student enrolled in a  
507 public school;

508 (c) Receiving any other educational scholarship pursuant  
509 to this chapter. However, an eligible public school student  
510 receiving a scholarship under s. 1002.411 may receive a  
511 scholarship for transportation pursuant to subparagraph  
512 (4)(a)2.;

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

519 (7) SCHOOL DISTRICT OBLIGATIONS.—

520 (d) Upon the request of the department, a school district  
521 shall coordinate with the department to provide to a  
522 participating private school the statewide assessments  
523 administered under s. 1008.22 and any related materials for  
524 administering the assessments. For a student who participates in  
525 the Family Empowerment Scholarship Program whose parent requests

526 that the student take the statewide assessments under s.  
 527 1008.22, the district in which the student attends a  
 528 participating private school shall provide locations and times  
 529 to take all statewide assessments. A school district is  
 530 responsible for implementing test administrations at a  
 531 participating private school, including the:

- 532 1. Provision of training for private school staff on test
- 533 security and assessment administration procedures;
- 534 2. Distribution of testing materials to a private school;
- 535 3. Retrieval of testing materials from a private school;
- 536 4. Provision of the required format for a private school
- 537 to submit information to the district for test administration
- 538 and enrollment purposes; and
- 539 5. Provision of any required assistance, monitoring, or
- 540 investigation at a private school.

541 (8) DEPARTMENT OF EDUCATION OBLIGATIONS.—

542 (a) The department shall:

- 543 1. Publish and update, as necessary, information on the
- 544 department website about the Family Empowerment Scholarship
- 545 Program, including, but not limited to, student eligibility
- 546 criteria, parental responsibilities, and relevant data.
- 547 2. Report, as part of the determination of full-time
- 548 equivalent membership pursuant to s. 1011.62(1)(a), all
- 549 scholarship students ~~who are receiving a scholarship under the~~
- 550 ~~program and are~~ funded through the Florida Education Finance

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551 Program, and cross-check the list of ~~participating~~ scholarship  
552 students submitted by the eligible nonprofit scholarship-funding  
553 organization with the full-time equivalent student membership  
554 survey data ~~public school enrollment lists~~ to avoid duplication.

555 3. Maintain and annually publish a list of nationally  
556 norm-referenced tests identified for purposes of satisfying the  
557 testing requirement in subparagraph (9)(c)1. The tests must meet  
558 industry standards of quality in accordance with state board  
559 rule.

560 4. Notify eligible nonprofit scholarship-funding  
561 organizations of the deadlines for submitting the verified list  
562 of eligible scholarship students ~~determined to be eligible for a~~  
563 ~~scholarship. An eligible nonprofit scholarship-funding~~  
564 ~~organization may not submit a student for funding after February~~  
565 ~~1.~~

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

568 6. Notify the parent and the organization when a  
569 scholarship account is closed and program funds revert to the  
570 state.

571 7. Notify an eligible nonprofit scholarship-funding  
572 organization of any of the organization's or other  
573 organization's identified students who are receiving  
574 scholarships under this chapter.

575 8. Maintain on its website a list of approved providers as

576 required by s. 1002.66, eligible postsecondary educational  
577 institutions, eligible private schools, and eligible  
578 organizations and may identify or provide links to lists of  
579 other approved providers.

580 9. Require each organization to verify eligible  
581 expenditures before the distribution of funds for any  
582 expenditures made pursuant to subparagraphs (4)(b)1. and 2.  
583 Review of expenditures made for services specified in  
584 subparagraphs (4)(b)3.-15. may be completed after the purchase  
585 is made.

586 10. Investigate any written complaint of a violation of  
587 this section by a parent, a student, a participating private  
588 school, a public school, a school district, an organization, a  
589 provider, or another appropriate party in accordance with the  
590 process established under s. 1002.421.

591 11. Require quarterly reports by an organization, which  
592 must include, at a minimum, the number of students participating  
593 in the program; the demographics of program participants; the  
594 disability category of program participants; the matrix level of  
595 services, if known; the program award amount per student; the  
596 total expenditures for the purposes specified in paragraph  
597 (4)(b); the types of providers of services to students; the  
598 number of scholarship applications received, the number of  
599 applications processed within 30 days after receipt, and the  
600 number of incomplete applications received; data related to



601 reimbursement submissions, including the average number of days  
602 for a reimbursement to be reviewed and the average number of  
603 days for a reimbursement to be approved; any parent input and  
604 feedback collected regarding the program; and any other  
605 information deemed necessary by the department.

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

611 13. Adjust payments to eligible nonprofit scholarship-  
612 funding organizations and, when the Florida Education Finance  
613 Program is recalculated, adjust the amount of state funds  
614 allocated to school districts through the Florida Education  
615 Finance Program based upon the results of the cross-check  
616 completed pursuant to subparagraph 2.

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

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

624 (b) Provide to the organization all documentation required  
625 for a student's participation, including confirmation of the

626 student's admission to the private school, the private school's  
 627 and student's fee schedules, and any other information required  
 628 by the organization to process scholarship payment under  
 629 subparagraph (12) (a) 4. Such information must be provided by the  
 630 deadlines established by the organization and in accordance with  
 631 the requirements of this section ~~at least 30 days before any~~  
 632 ~~quarterly scholarship payment is made for the student pursuant~~  
 633 ~~to paragraph (12) (a).~~ A student is not eligible to receive a  
 634 quarterly scholarship payment if the private school fails to  
 635 meet the ~~this~~ deadline.

636  
 637 If a private school fails to meet the requirements of this  
 638 subsection or s. 1002.421, the commissioner may determine that  
 639 the private school is ineligible to participate in the  
 640 scholarship program.

641 (10) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM  
 642 PARTICIPATION.—

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

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

648 2. Request the scholarship by the ~~a~~ date established by  
 649 the organization, ~~r~~ in a manner that creates a written or  
 650 electronic record of the request and the date of receipt of the

651 request.

652 3.a. Beginning with new applications for the 2025-2026  
653 school year and thereafter, notify the organization by December  
654 15 that the scholarship is being accepted or declined.

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

658 ~~4.3.~~ Inform the applicable school district when the parent  
659 withdraws his or her student from a public school to attend an  
660 eligible private school.

661 5.4. Require his or her student participating in the  
662 program to remain in attendance at the eligible private school  
663 throughout the school year unless excused by the school for  
664 illness or other good cause.

665 ~~6.5.~~ Meet with the eligible private school's principal or  
666 the principal's designee to review the school's academic  
667 programs and policies, specialized services, code of student  
668 conduct, and attendance policies before enrollment.

669 ~~7.6.~~ Require his or her ~~that the~~ student participating in  
670 the ~~scholarship~~ program to take ~~takes~~ the norm-referenced  
671 assessment offered by the eligible private school. The parent  
672 may also choose to have the student participate in the statewide  
673 assessments pursuant to paragraph (7) (d). If the parent requests  
674 that the student participating in the program take all statewide  
675 assessments required pursuant to s. 1008.22, the parent is

676 responsible for transporting the student to the assessment site  
 677 designated by the school district.

678 ~~8.7.~~ Approve each payment before the scholarship funds may  
 679 be deposited by funds transfer pursuant to subparagraph  
 680 (12) (a) 4. The parent may not designate any entity or individual  
 681 associated with the participating private school as the parent's  
 682 attorney in fact to approve a funds transfer. A participant who  
 683 fails to comply with this paragraph forfeits the scholarship.

684 ~~9.8.~~ Agree to have the organization commit scholarship  
 685 funds on behalf of his or her student for tuition and fees for  
 686 which the parent is responsible for payment at the eligible  
 687 private school before using scholarship ~~empowerment~~ account  
 688 funds for additional authorized uses under paragraph (4) (a). A  
 689 parent is responsible for all eligible expenses in excess of the  
 690 amount of the scholarship.

691 10. Comply with the scholarship application and renewal  
 692 processes and requirements established by the organization.

693 (b) A parent who applies for a scholarship ~~applies for~~  
 694 ~~program participation~~ under paragraph (3) (b) is exercising his  
 695 or her parental option to determine the appropriate placement or  
 696 the services that best meet the needs of his or her child and  
 697 must:

698 1. Apply to an eligible nonprofit scholarship-funding  
 699 organization to participate in the program by a date set by the  
 700 organization. The request must be communicated directly to the

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701 organization in a manner that creates a written or electronic  
702 record of the request and the date of receipt of the request.

703 2.a. Beginning with new applications for the 2025-2026  
704 school year and thereafter, notify the organization by December  
705 15 that the scholarship is being accepted or declined.

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

709 ~~3.2.~~ Sign an agreement with the organization and annually  
710 submit a sworn compliance statement to the organization to  
711 satisfy or maintain program eligibility, including eligibility  
712 to receive and spend program payments by:

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

716 b. Affirming that the program funds are used only for  
717 authorized purposes serving the student's educational needs, as  
718 described in paragraph (4)(b); that any prepaid college plan or  
719 college savings plan funds contributed pursuant to subparagraph  
720 (4)(b)6. will not be transferred to another beneficiary while  
721 the plan contains funds contributed pursuant to this section;  
722 and that they will not receive a payment, refund, or rebate of  
723 any funds provided under this section.

724 c. Affirming that the parent is responsible for all  
725 eligible expenses in excess of the amount of the scholarship and

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726 for the education of his or her student by, as applicable:

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

729 (II) Providing an annual evaluation in accordance with s.  
730 1002.41(1)(f); or

731 (III) Requiring the child to take any preassessments and  
732 postassessments selected by the provider if the child is 4 years  
733 of age and is enrolled in a program provided by an eligible  
734 Voluntary Prekindergarten Education Program provider. A student  
735 with disabilities for whom the physician or psychologist who  
736 issued the diagnosis or the IEP team determines that a  
737 preassessment and postassessment is not appropriate is exempt  
738 from this requirement. A participating provider shall report a  
739 student's scores to the parent.

740 d. Affirming that the student remains in good standing  
741 with the provider or school if those options are selected by the  
742 parent.

743 e. Enrolling his or her child in a program from a  
744 Voluntary Prekindergarten Education Program provider authorized  
745 under s. 1002.55, a school readiness provider authorized under  
746 s. 1002.88, a prekindergarten program offered by an eligible  
747 private school, or an eligible private school if ~~either option~~  
748 ~~is~~ selected by the parent.

749 f. Comply with the scholarship application and renewal  
750 processes and requirements established by the organization

751 ~~Renewing participation in the program each year.~~ A student whose  
752 participation in the program is not renewed may continue to  
753 spend scholarship funds that are in his or her account from  
754 prior years unless the account must be closed pursuant to  
755 subparagraph (5)(b)3. Notwithstanding any changes to the  
756 student's IEP, a student who was previously eligible for  
757 participation in the program shall remain eligible to apply for  
758 renewal. However, for a high-risk child to continue to  
759 participate in the program in the school year after he or she  
760 reaches 6 years of age, the child's application for renewal of  
761 program participation must contain documentation that the child  
762 has a disability defined in paragraph (2)(e) other than high-  
763 risk status.

764 g. Procuring the services necessary to educate the  
765 student. If such services include enrollment in an eligible  
766 private school, the parent must meet with the private school's  
767 principal or the principal's designee to review the school's  
768 academic programs and policies, specialized services, code of  
769 student conduct, and attendance policies before his or her  
770 student is enrolled. The parent must also approve each payment  
771 to the eligible private school before the scholarship funds may  
772 be deposited by funds transfer pursuant to subparagraph  
773 (12)(a)4. The parent may not designate any entity or individual  
774 associated with the eligible private school as the parent's  
775 attorney in fact to approve a funds transfer. When the student

776 receives a scholarship, the district school board is not  
 777 obligated to provide the student with a free appropriate public  
 778 education. For purposes of s. 1003.57 and the Individuals with  
 779 Disabilities in Education Act, a participating student has only  
 780 those rights that apply to all other unilaterally parentally  
 781 placed students, except that, when requested by the parent,  
 782 school district personnel must develop an IEP or matrix level of  
 783 services.

784 (c) A parent may not apply for a scholarship under  
 785 paragraphs (3) (a) and (b) for an individual student at the same  
 786 time.

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

789 (11) OBLIGATIONS OF ELIGIBLE SCHOLARSHIP-FUNDING  
 790 ORGANIZATIONS.—

791 (a) An eligible nonprofit scholarship-funding organization  
 792 awarding scholarships to eligible students pursuant to paragraph  
 793 (3) (a) shall:

794 1. Establish a process for parents who are in compliance  
 795 with paragraph (10) (a) to renew their students' scholarships.  
 796 Renewal applications for the 2025-2026 school year and  
 797 thereafter must provide for a renewal timeline beginning  
 798 February 1 of the prior school year and ending April 30 of the  
 799 prior school year. A student's renewal is contingent upon an  
 800 eligible private school providing confirmation of student



801 admission pursuant to subsection (9). The process must require  
 802 that parents confirm that the scholarship is being renewed or  
 803 declined by May 31.

804 2. Establish a process that allows a parent to apply for a  
 805 new scholarship. The process may begin no earlier than February  
 806 1 of the prior school year and must authorize submission of  
 807 applications until November 15. The process must be in a manner  
 808 that creates a written or electronic record of the application  
 809 request and the date of receipt of the application request.  
 810 Applications received after the deadline may be considered for  
 811 scholarship award in the subsequent fiscal year. The process  
 812 must require that parents confirm that the scholarship is being  
 813 accepted or declined by December 15. ~~Must receive applications,~~  
 814 ~~determine student eligibility, notify parents in accordance with~~  
 815 ~~the requirements of this section, and provide the department~~  
 816 ~~with information on the student to enable the department to~~  
 817 ~~determine student funding in accordance with paragraph (12)(a).~~

818 3.2. ~~Shall~~ Verify the household income level of students  
 819 seeking priority eligibility and submit the verified list of  
 820 students and related documentation to the department when  
 821 necessary.

822 4.3. ~~Shall~~ Award scholarships in priority order pursuant  
 823 to paragraph (3)(a).

824 5.4. ~~Shall~~ Establish and maintain separate scholarship  
 825 empowerment accounts for each eligible student. For each

826 account, the organization must maintain a record of accrued  
827 interest that is retained in the student's account and available  
828 only for authorized program expenditures.

829 6.5. May Permit eligible students to use program funds for  
830 the purposes specified in paragraph (4)(a) by paying for the  
831 authorized use directly, then submitting a reimbursement request  
832 to the eligible nonprofit scholarship-funding organization.  
833 However, an eligible nonprofit scholarship-funding organization  
834 may require the use of an online platform for direct purchases  
835 of products so long as such use does not limit a parent's choice  
836 of curriculum or academic programs. If a parent purchases a  
837 product identical to one offered by an organization's online  
838 platform for a lower price, the organization shall reimburse the  
839 parent the cost of the product.

840 ~~6. May, from eligible contributions received pursuant to~~  
841 ~~s. 1002.395(6)(1)1., use an amount not to exceed 2.5 percent of~~  
842 ~~the total amount of all scholarships funded under this section~~  
843 ~~for administrative expenses associated with performing functions~~  
844 ~~under this section. An eligible nonprofit scholarship-funding~~  
845 ~~organization that has, for the prior fiscal year, complied with~~  
846 ~~the expenditure requirements of s. 1002.395(6)(1)2., may use an~~  
847 ~~amount not to exceed 3 percent. Such administrative expense~~  
848 ~~amount is considered within the 3 percent limit on the total~~  
849 ~~amount an organization may use to administer scholarships under~~  
850 ~~this chapter.~~

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

854           8. ~~Must~~ Notify the department about any violation of this  
855 section.

856           9. ~~Must~~ Document each student's eligibility for a fiscal  
857 year before granting a scholarship for that fiscal year. A  
858 student is ineligible for a scholarship if the student's account  
859 has been inactive for 2 consecutive fiscal years.

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

862           11. ~~Shall~~ Commit scholarship funds on behalf of the  
863 student for tuition and fees for which the parent is responsible  
864 for payment at the participating private school before using  
865 scholarship empowerment account funds for additional authorized  
866 uses under paragraph (4) (a).

867           (b) An eligible nonprofit scholarship-funding organization  
868 awarding scholarships to eligible students pursuant to paragraph  
869 (3) (b) shall:

870           1. Establish a process for parents who are in compliance  
871 with paragraph (10) (b) to renew their students' scholarships.  
872 Renewal applications for the 2025-2026 school year and  
873 thereafter must provide for a renewal timeline beginning  
874 February 1 of the prior school year and ending April 30 of the  
875 prior school year. A student's renewal is contingent upon an

876 eligible private school providing confirmation of student  
877 admission pursuant to subsection (9), if applicable. The process  
878 must require that parents confirm that the scholarship is being  
879 renewed or declined by May 31.

880 2. Establish a process that allows a parent to apply for a  
881 new scholarship. The process may begin no earlier than February  
882 1 of the prior school year and must authorize the submission of  
883 applications until November 15. The process must be in a manner  
884 that creates a written or electronic record of the application  
885 request and the date of receipt of the application request.  
886 Applications received after the deadline may be considered for  
887 scholarship award in the subsequent fiscal year. The process  
888 must require that parents confirm that the scholarship is being  
889 accepted or declined by December 15.

890 ~~1. Receive applications, determine student eligibility,~~  
891 ~~and notify parents in accordance with the requirements of this~~  
892 ~~section. When an application is approved, the organization must~~  
893 ~~provide the department with information on the student to enable~~  
894 ~~the department to determine student funding in accordance with~~  
895 ~~paragraph (12) (b).~~

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

898 3. Review applications and award scholarships using the  
899 following priorities:

900 ~~a. For the 2021-2022 school year, a student who received a~~

901 ~~Gardiner Scholarship in the 2020-2021 school year and meets the~~  
902 ~~eligibility requirements in paragraph (3) (b).~~

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

904 ~~e.~~ ~~Students retained on the previous school year's wait~~  
905 ~~list.~~

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

909

910 ~~An approved student who does not receive a scholarship must be~~  
911 ~~placed on the wait list in the order in which his or her~~  
912 ~~application is approved. A student who does not receive a~~  
913 ~~scholarship within the fiscal year shall be retained on the wait~~  
914 ~~list for the subsequent fiscal year.~~

915 4. Establish and maintain separate accounts for each  
916 eligible student. For each account, the organization must  
917 maintain a record of accrued interest that is retained in the  
918 student's account and available only for authorized program  
919 expenditures.

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

922 6. Return any remaining program funds to the department  
923 pursuant to paragraph (6) (b).

924 7. Notify the parent about the availability of, and the  
925 requirements associated with requesting, an initial IEP or IEP

926 reevaluation every 3 years for each student participating in the  
927 program.

928 8. Notify the parent of available state and local  
929 services, including, but not limited to, services under chapter  
930 413.

931 9. In a timely manner, submit to the department the  
932 verified list of eligible scholarship students and any  
933 information requested by the department relating to the  
934 scholarship under this section.

935 ~~10.8.~~ Notify the department of any violation of this  
936 section.

937 ~~11.9.~~ Document each scholarship student's eligibility for  
938 a fiscal year before granting a scholarship for that fiscal year  
939 pursuant to paragraph (3) (b). A student is ineligible for a  
940 scholarship if the student's account has been inactive for 2  
941 consecutive fiscal years.

942 (c) An eligible nonprofit scholarship-funding organization  
943 may, from eligible contributions received pursuant to s.  
944 1002.395(6)(1)1., use an amount not to exceed 2.5 percent of the  
945 total amount of all scholarships funded under this section for  
946 administrative expenses associated with performing functions  
947 under this section. An organization that has, for the prior  
948 fiscal year, complied with the expenditure requirements of s.  
949 1002.395(6)(1)3. may use an amount not to exceed 3 percent. Such  
950 administrative expense amount is considered within the 3-percent

951 limit on the total amount an organization may use to administer  
952 scholarships under this chapter.

953 (d) An eligible nonprofit scholarship-funding organization  
954 shall establish a process to collect input and feedback from  
955 parents, private schools, and providers before implementing  
956 substantial modifications or enhancements to the reimbursement  
957 process.

958 (12) SCHOLARSHIP FUNDING AND PAYMENT.—

959 (a)1. ~~Scholarships for students determined eligible~~  
960 ~~pursuant to paragraph (3) (a) may be funded once all scholarships~~  
961 ~~have been funded in accordance with s. 1002.395(6)(1)2.~~ The  
962 calculated scholarship amount for a participating student  
963 determined eligible pursuant to paragraph (3) (a) shall be based  
964 upon the grade level and school district in which the student  
965 was assigned as 100 percent of the funds per unweighted full-  
966 time equivalent in the Florida Education Finance Program for a  
967 student in the basic program established pursuant to s.  
968 1011.62(1)(c)1., plus a per-full-time equivalent share of funds  
969 for the categorical programs established in s. 1011.62(5),  
970 (7)(a), and (16), as funded in the General Appropriations Act.

971 2. A scholarship of \$750 or an amount equal to the school  
972 district expenditure per student riding a school bus, as  
973 determined by the department, whichever is greater, may be  
974 awarded to an eligible student who is enrolled in a Florida  
975 public school that is different from the school to which the

976 student was assigned or in a lab school as defined in s. 1002.32  
977 if the school district does not provide the student with  
978 transportation to the school.

979 3.a. For renewing scholarship students, the organization  
980 ~~must provide the department with the documentation necessary to~~  
981 verify the student's continued eligibility to participate in the  
982 scholarship program at least 30 days before each payment  
983 ~~participation.~~ Upon receiving the verified list of eligible  
984 scholarship students documentation, the department shall release  
985 ~~transfer, beginning August 1,~~ from state funds only, the amount  
986 calculated pursuant to subparagraph 1. 2. to the organization  
987 for deposit into the student's account in quarterly payments no  
988 later than August 1, November 1, February 1, and April 1 of  
989 ~~quarterly disbursement to parents of participating students~~ each  
990 school year in which the scholarship is in force.

991 b. For new scholarship students, the organization must  
992 verify the student's eligibility to participate in the  
993 scholarship program at least 30 days before each payment. Upon  
994 receiving the verified list of eligible scholarship students,  
995 the department shall release, from state funds only, the amount  
996 calculated pursuant to subparagraph 1. to the organization for  
997 deposit into the student's account in quarterly payments no  
998 later than September 1, November 1, February 1, and April 1 of  
999 each school year in which the scholarship is in force. For a  
1000 student exiting a Department of Juvenile Justice commitment



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1001 program who chooses to participate in the scholarship program,  
1002 the amount calculated pursuant to subparagraph 1. must be  
1003 transferred from the school district in which the student last  
1004 attended a public school before commitment to the Department of  
1005 Juvenile Justice.

1006 c. The department is authorized to release the state funds  
1007 contingent upon verification that the organization will comply  
1008 with s. 1002.395(6)(1) based upon the organization's submitted  
1009 verified list of eligible scholarship students pursuant to s.  
1010 1002.395. For a student exiting a Department of Juvenile Justice  
1011 commitment program who chooses to participate in the scholarship  
1012 program, the amount of the Family Empowerment Scholarship  
1013 calculated pursuant to subparagraph 2. must be transferred from  
1014 the school district in which the student last attended a public  
1015 school before commitment to the Department of Juvenile Justice.  
1016 When a student enters the scholarship program, the organization  
1017 must receive all documentation required for the student's  
1018 participation, including the private school's and the student's  
1019 fee schedules, at least 30 days before the first quarterly  
1020 scholarship payment is made for the student.

1021 4. The initial payment shall be made after the  
1022 organization's verification of admission acceptance, and  
1023 subsequent payments shall be made upon verification of continued  
1024 enrollment and attendance at the participating private school.  
1025 Payments for tuition and fees for full-time enrollment shall be

1026 made within 7 business days after approval by the parent  
1027 pursuant to paragraph (10)(a) and the private school pursuant to  
1028 paragraph (9)(b). Payment must be by funds transfer or any other  
1029 means of payment that the department deems to be commercially  
1030 viable or cost-effective. An organization shall ensure that the  
1031 parent has approved a funds transfer before any scholarship  
1032 funds are deposited.

1033 5. An organization may not transfer any funds to an  
1034 account of a student determined eligible pursuant to paragraph  
1035 (3)(a) which has a balance in excess of \$24,000.

1036 (b)1. For the 2023-2024 school year, the maximum number of  
1037 students participating in the scholarship program under  
1038 paragraph (3)(b) shall be the number of students the  
1039 organization and the department determined eligible pursuant to  
1040 this section. Beginning in the 2024-2025 school year, the  
1041 maximum number of scholarships funded ~~students participating in~~  
1042 ~~the scholarship program~~ under paragraph (3)(b) shall annually  
1043 increase by 5.0 ~~3.0~~ percent of the state's total exceptional  
1044 student education full-time equivalent student membership, not  
1045 including gifted students. The maximum number of scholarships  
1046 funded shall increase by 1.0 percent of the state's total  
1047 exceptional student education full-time equivalent student  
1048 membership, not including gifted students, in the school year  
1049 following any school year in which the number of scholarships  
1050 funded exceeds 95 percent of the number of available

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1051 scholarships for that school year. An eligible student who meets  
1052 any of the following requirements shall be excluded from the  
1053 maximum number of students if the student:

1054 a. Received specialized instructional services under the  
1055 Voluntary Prekindergarten Education Program pursuant to s.  
1056 1002.66 during the previous school year and the student has a  
1057 current IEP developed by the district school board in accordance  
1058 with rules of the State Board of Education;

1059 b. Is a dependent child of a law enforcement officer or a  
1060 member of the United States Armed Forces, a foster child, or an  
1061 adopted child; or

1062 c. Spent the prior school year in attendance at a Florida  
1063 public school or the Florida School for the Deaf and the Blind.  
1064 For purposes of this subparagraph, the term "prior school year  
1065 in attendance" means that the student was enrolled and reported  
1066 by:

1067 (I) A school district for funding during either the  
1068 preceding October or February full-time equivalent student  
1069 membership surveys in kindergarten through grade 12, which  
1070 includes time spent in a Department of Juvenile Justice  
1071 commitment program if funded under the Florida Education Finance  
1072 Program;

1073 (II) The Florida School for the Deaf and the Blind during  
1074 the preceding October or February full-time equivalent student  
1075 membership surveys in kindergarten through grade 12;

1076 (III) A school district for funding during the preceding  
 1077 October or February full-time equivalent student membership  
 1078 surveys, was at least 4 years of age when enrolled and reported,  
 1079 and was eligible for services under s. 1003.21(1)(e); or

1080 (IV) Received a John M. McKay Scholarship for Students  
 1081 with Disabilities in the 2021-2022 school year.

1082 2. For a student who has a Level I to Level III matrix of  
 1083 services or a diagnosis by a physician or psychologist, the  
 1084 calculated scholarship amount for a student participating in the  
 1085 program must be based upon the grade level and school district  
 1086 in which the student would have been enrolled as the total funds  
 1087 per unweighted full-time equivalent in the Florida Education  
 1088 Finance Program for a student in the basic exceptional student  
 1089 education program pursuant to s. 1011.62(1)(c) and (d), plus a  
 1090 per full-time equivalent share of funds for the categorical  
 1091 programs established in s. 1011.62(5), (7)(a), (8), and (16), as  
 1092 funded in the General Appropriations Act. For the categorical  
 1093 program established in s. 1011.62(8), the funds must be  
 1094 allocated based on the school district's average exceptional  
 1095 student education guaranteed allocation funds per exceptional  
 1096 student education full-time equivalent student.

1097 3. For a student with a Level IV or Level V matrix of  
 1098 services, the calculated scholarship amount must be based upon  
 1099 the school district to which the student would have been  
 1100 assigned as the total funds per full-time equivalent for the

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1101 Level IV or Level V exceptional student education program  
1102 pursuant to s. 1011.62(1)(c)2.a. or b., plus a per-full time  
1103 equivalent share of funds for the categorical programs  
1104 established in s. 1011.62(5), (7)(a), and (16), as funded in the  
1105 General Appropriations Act.

1106 4. For a student who received a Gardiner Scholarship  
1107 pursuant to former s. 1002.385 in the 2020-2021 school year, the  
1108 amount shall be the greater of the amount calculated pursuant to  
1109 subparagraph 2. or the amount the student received for the 2020-  
1110 2021 school year.

1111 5. For a student who received a John M. McKay Scholarship  
1112 pursuant to former s. 1002.39 in the 2020-2021 school year, the  
1113 amount shall be the greater of the amount calculated pursuant to  
1114 subparagraph 2. or the amount the student received for the 2020-  
1115 2021 school year.

1116 6. The organization must ~~provide the department with the~~  
1117 ~~documentation necessary to~~ verify the student's eligibility to  
1118 participate in the scholarship program at least 30 days before  
1119 each payment participation.

1120 7.a. For renewing scholarship students, upon receiving the  
1121 verified list of eligible scholarship students, the department  
1122 shall release, from state funds only, the amount calculated  
1123 pursuant to subparagraph 1. to the organization for deposit into  
1124 the student's account in quarterly payments no later than August  
1125 1, November 1, February 1, and April 1 of each school year in

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1126 which the scholarship is in force.

1127 b. For new scholarship students, upon receiving the  
1128 verified list of eligible scholarship students ~~documentation,~~  
1129 the department shall release, from state funds only, the amount  
1130 calculated pursuant to subparagraph 1. student's scholarship  
1131 ~~funds~~ to the organization for deposit, ~~to be deposited~~ into the  
1132 student's account in quarterly payments ~~four equal amounts~~ no  
1133 later than September 1, November 1, February 1, and April 1 of  
1134 each school year in which the scholarship is in force.

1135 8. If a scholarship student is attending an eligible  
1136 private school full time, the initial payment shall be made  
1137 after the organization's verification of admission acceptance,  
1138 and subsequent payments shall be made upon verification of  
1139 continued enrollment and attendance at the eligible private  
1140 school. Payments for tuition and fees for full-time enrollment  
1141 shall be made within 7 business days after approval by the  
1142 parent pursuant to paragraph (10) (b) and the private school  
1143 pursuant to paragraph (9) (b).

1144 ~~9.8.~~ Accrued interest in the student's account is in  
1145 addition to, and not part of, the awarded funds. Program funds  
1146 include both the awarded funds and accrued interest.

1147 ~~10.9.~~ The organization may develop a system for payment of  
1148 benefits by funds transfer, including, but not limited to, debit  
1149 cards, electronic payment cards, or any other means of payment  
1150 which the department deems to be commercially viable or cost-

1151 effective. A student's scholarship award may not be reduced for  
1152 debit card or electronic payment fees. Commodities or services  
1153 related to the development of such a system must be procured by  
1154 competitive solicitation unless they are purchased from a state  
1155 term contract pursuant to s. 287.056.

1156 ~~11.10.~~ An organization may not transfer any funds to an  
1157 account of a student determined to be eligible pursuant to  
1158 paragraph (3)(b) which has a balance in excess of \$50,000.

1159 ~~12.11.~~ Moneys received pursuant to this section do not  
1160 constitute taxable income to the qualified student or the parent  
1161 of the qualified student.

1162 (c) An organization may not submit a new scholarship  
1163 student for funding after February 1.

1164 (d) Within 30 days after the release of state funds  
1165 pursuant to paragraphs (a) and (b), the eligible scholarship-  
1166 funding organization shall certify to the department the amount  
1167 of funds distributed for student scholarships. If the amount of  
1168 funds released by the department is more than the amount  
1169 distributed by the organization, the department is authorized to  
1170 adjust the amount of the overpayment in the subsequent quarterly  
1171 payment release.

1172 (16) TRANSITION-TO-WORK PROGRAM.—A student with a  
1173 disability who is determined eligible pursuant to paragraph  
1174 (3)(b) who is at least 17 years, but not older than 22 years of  
1175 age and who has not received a high school diploma or

1176 certificate of completion is eligible for enrollment in his or  
1177 her participating private school's transition-to-work program. A  
1178 transition-to-work program shall consist of academic  
1179 instruction, work skills training, and a volunteer or paid work  
1180 experience.

1181 (a) To offer a transition-to-work program, a participating  
1182 private school must:

1183 1. Develop a transition-to-work program plan, which must  
1184 include a written description of the academic instruction and  
1185 work skills training students will receive and the goals for  
1186 students in the program.

1187 2. Submit the transition-to-work program plan to the  
1188 Office of Independent Education and Parental Choice and consider  
1189 any guidance provided by the department pursuant to paragraph  
1190 (8)(d) relating to the plan.

1191 3. Develop a personalized transition-to-work program plan  
1192 for each student enrolled in the program. The student's parent,  
1193 the student, and the school principal must sign the personalized  
1194 plan. The personalized plan must be submitted to the Office of  
1195 Independent Education and Parental Choice upon request by the  
1196 office.

1197 4. Provide a release of liability form that must be signed  
1198 by the student's parent, the student, and a representative of  
1199 the business offering the volunteer or paid work experience.

1200 5. Assign a case manager or job coach to visit the



1201 student's job site on a weekly basis to observe the student and,  
 1202 if necessary, provide support and guidance to the student.

1203 6. Provide to the parent and student a quarterly report  
 1204 that documents and explains the student's progress and  
 1205 performance in the program.

1206 7. Maintain accurate attendance and performance records  
 1207 for the student.

1208 (b) A student enrolled in a transition-to-work program  
 1209 must, at a minimum:

1210 1. Receive 15 instructional hours at the participating  
 1211 private school's physical facility, which must include academic  
 1212 instruction and work skills training.

1213 2. Participate in 10 hours of work at the student's  
 1214 volunteer or paid work experience.

1215 (c) To participate in a transition-to-work program, a  
 1216 business must:

1217 1. Maintain an accurate record of the student's  
 1218 performance and hours worked and provide the information to the  
 1219 participating private school.

1220 2. Comply with all state and federal child labor laws.

1221 Section 4. Paragraph (c) of subsection (1), paragraphs (b)  
 1222 and (f) of subsection (2), subsection (3), paragraphs (a) and  
 1223 (c) of subsection (4), paragraphs (c) through (i) and (l), (p),  
 1224 (q), (t), and (w) of subsection (6), subsections (7) and (8),  
 1225 paragraphs (d), (e), (f), and (i) of subsection (9), paragraph

1226 (b) of subsection (10), and paragraphs (c), (f), and (h) of  
 1227 subsection (11) of section 1002.395, Florida Statutes, are  
 1228 amended, paragraph (y) is added to subsection (6), and paragraph  
 1229 (i) is added to subsection (11) of that section, to read:

1230 1002.395 Florida Tax Credit Scholarship Program.—

1231 (1) FINDINGS AND PURPOSE.—

1232 (c) The purpose of this section is not to prescribe the  
 1233 standards or curriculum for participating private schools. A  
 1234 participating private school retains the authority to determine  
 1235 its own standards and curriculum.

1236 (2) DEFINITIONS.—As used in this section, the term:

1237 (b) "Choice navigator" means an individual who meets the  
 1238 requirements of sub-subparagraph (6)(d)4.h. ~~(6)(d)2.h.~~ and who  
 1239 provides consultations, at a mutually agreed upon location, on  
 1240 the selection of, application for, and enrollment in educational  
 1241 options addressing the academic needs of a student; curriculum  
 1242 selection; and advice on career and postsecondary education  
 1243 opportunities. However, nothing in this section authorizes a  
 1244 choice navigator to oversee or exercise control over the  
 1245 curricula or academic programs of a personalized education  
 1246 program.

1247 (f) "Eligible contribution" means a monetary contribution  
 1248 from a taxpayer, subject to the restrictions provided in this  
 1249 section, to an eligible nonprofit scholarship-funding  
 1250 organization pursuant to this section and ss. 212.099, 212.1831,

1251 and 212.1832,~~and 1002.40~~. The taxpayer making the contribution  
 1252 may not designate a specific child as the beneficiary of the  
 1253 contribution.

1254 (3) PROGRAM; INITIAL SCHOLARSHIP ELIGIBILITY.—

1255 (a) The Florida Tax Credit Scholarship Program is  
 1256 established.

1257 (b)1. A student is eligible for a Florida tax credit  
 1258 scholarship under this section if the student:

1259 a. Is a resident of this state or the dependent child of  
 1260 an active duty member of the United States Armed Forces who has  
 1261 received permanent change of station orders to this state or, at  
 1262 the time of renewal, whose home of record or state of legal  
 1263 residence is Florida; and

1264 b. Is eligible to enroll in kindergarten through grade 12  
 1265 in a public school in this state or received a scholarship under  
 1266 the Hope Scholarship Program in the 2023-2024 school year.

1267 2. Priority must be given in the following order:

1268 a. A student whose household income level does not exceed  
 1269 185 percent of the federal poverty level or who is in foster  
 1270 care or out-of-home care.

1271 b. A student whose household income level exceeds 185  
 1272 percent of the federal poverty level, but does not exceed 400  
 1273 percent of the federal poverty level.

1274 (4) SCHOLARSHIP PROHIBITIONS.—A student is not eligible  
 1275 for a scholarship while he or she is:

1276 (a) Enrolled full time in a public school, including, but  
 1277 not limited to, the Florida School for the Deaf and the Blind,  
 1278 the College-Preparatory Boarding Academy, the Florida School for  
 1279 Competitive Academics, the Florida Virtual School, the Florida  
 1280 Scholars Academy, a developmental research school authorized  
 1281 under s. 1002.32, or a charter school authorized under this  
 1282 chapter. For purposes of this paragraph, a 3- or 4-year-old  
 1283 child who receives services funded through the Florida Education  
 1284 Finance Program is considered a student enrolled full-time in a  
 1285 public school;

1286 (c) Receiving any other educational scholarship pursuant  
 1287 to this chapter. However, an eligible public school student  
 1288 receiving a scholarship under s. 1002.411 may receive a  
 1289 scholarship for transportation pursuant to subparagraph  
 1290 (6)(d)4.;

1291 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING  
 1292 ORGANIZATIONS.—An eligible nonprofit scholarship-funding  
 1293 organization:

1294 (c) Must not have an owner or operator, as defined in  
 1295 subparagraph (2)(k)1., who owns or operates an eligible private  
 1296 school that is participating in the scholarship program.

1297 (d)1. For the 2023-2024 school year, may fund no more than  
 1298 20,000 scholarships for students who are enrolled pursuant to  
 1299 paragraph (7)(b). The number of scholarships funded for such  
 1300 students may increase by 40,000 in each subsequent school year.

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1301 This subparagraph is repealed July 1, 2027.

1302 2. Shall establish a process for parents who are in  
1303 compliance with paragraph (7)(a) to renew their students'  
1304 scholarships. Renewal applications for the 2025-2026 school year  
1305 and thereafter must provide for a renewal timeline beginning  
1306 February 1 of the prior school year and ending April 30 of the  
1307 prior school year. A student's renewal is contingent upon an  
1308 eligible private school providing confirmation of admission  
1309 pursuant to subsection (8). The process must require that  
1310 parents confirm that the scholarship is being renewed or  
1311 declined by May 31.

1312 3. Shall establish a process that allows a parent to apply  
1313 for a new scholarship. The process must be in a manner that  
1314 creates a written or electronic record of the application  
1315 request and the date of receipt of the application request. The  
1316 process must require that parents confirm that the scholarship  
1317 is being accepted or declined by a date set by the organization.

1318 4.2. Must establish and maintain separate scholarship  
1319 ~~empowerment~~ accounts from eligible contributions for each  
1320 eligible student. For each account, the organization must  
1321 maintain a record of accrued interest retained in the student's  
1322 account. The organization must verify that scholarship funds are  
1323 used for:

1324 a. Tuition and fees for full-time or part-time enrollment  
1325 in an eligible private school.

1326           b. Transportation to a Florida public school in which a  
 1327 student is enrolled and that is different from the school to  
 1328 which the student was assigned or to a lab school as defined in  
 1329 s. 1002.32.

1330           c. Instructional materials, including digital materials  
 1331 and Internet resources. Instructional materials shall only  
 1332 include equipment for subjects in language arts and reading,  
 1333 mathematics, social studies, and science.

1334           d. Curriculum as defined in s. 1002.394(2).

1335           e. Tuition and fees associated with full-time or part-time  
 1336 enrollment in a home education instructional program; an  
 1337 eligible postsecondary educational institution or a program  
 1338 offered by the postsecondary educational institution, unless the  
 1339 program is subject to s. 1009.25 or reimbursed pursuant to s.  
 1340 1009.30; an approved preapprenticeship program as defined in s.  
 1341 446.021(5) which is not subject to s. 1009.25 and complies with  
 1342 all applicable requirements of the Department of Education  
 1343 pursuant to chapter 1005; a private tutoring program authorized  
 1344 under s. 1002.43; a virtual program offered by a department-  
 1345 approved private online provider that meets the provider  
 1346 qualifications specified in s. 1002.45(2)(a); the Florida  
 1347 Virtual School as a private paying student; or an approved  
 1348 online course offered pursuant to s. 1003.499 or s. 1004.0961.

1349           f. Fees for nationally standardized, norm-referenced  
 1350 achievement tests, Advanced Placement Examinations, industry

1351 certification examinations, assessments related to postsecondary  
1352 education, or other assessments.

1353 g. Contracted services provided by a public school or  
1354 school district, including classes. A student who receives  
1355 contracted services under this sub-subparagraph is not  
1356 considered enrolled in a public school for eligibility purposes  
1357 as specified in subsection (11) but rather attending a public  
1358 school on a part-time basis as authorized under s. 1002.44.

1359 h. Tuition and fees for part-time tutoring services or  
1360 fees for services provided by a choice navigator. Such services  
1361 must be provided by a person who holds a valid Florida  
1362 educator's certificate pursuant to s. 1012.56, a person who  
1363 holds an adjunct teaching certificate pursuant to s. 1012.57, a  
1364 person who has a bachelor's degree or a graduate degree in the  
1365 subject area in which instruction is given, a person who has  
1366 demonstrated a mastery of subject area knowledge pursuant to s.  
1367 1012.56(5), or a person certified by a nationally or  
1368 internationally recognized research-based training program as  
1369 approved by the Department of Education. As used in this  
1370 paragraph, the term "part-time tutoring services" does not  
1371 qualify as regular school attendance as defined in s.  
1372 1003.01(16)(e).

1373 (e) For students determined eligible pursuant to paragraph  
1374 (7)(b), must:

1375 1. Establish a process for parents who are in compliance

1376 with subparagraph (7)(b)1. to apply for a new scholarship. New  
1377 scholarship applications for the 2025-2026 school year and  
1378 thereafter must provide for an application timeline beginning  
1379 February 1 of the prior school year and ending April 30 of the  
1380 prior school year. The process must require that parents confirm  
1381 that the scholarship is being accepted or declined by May 31.

1382 2. Establish a process for parents who are in compliance  
1383 with paragraph (7)(b) to renew their students' scholarships.  
1384 Renewal scholarship applications for the 2025-2026 school year  
1385 and thereafter must provide for a renewal timeline beginning  
1386 February 1 of the prior school year and ending April 30 of the  
1387 prior school year. The process must require that parents confirm  
1388 that the scholarship is being renewed or declined by May 31.

1389 ~~3.1.~~ Maintain a signed agreement from the parent which  
1390 constitutes compliance with the attendance requirements under  
1391 ss. 1003.01(16) and 1003.21(1).

1392 ~~4.2.~~ Receive eligible student test scores and, beginning  
1393 with the 2027-2028 school year, by August 15, annually report  
1394 test scores for students pursuant to paragraph (7)(b) to a state  
1395 university pursuant to paragraph (9)(f).

1396 ~~5.3.~~ Provide parents with information, guidance, and  
1397 support to create and annually update a student learning plan  
1398 for their student. The organization must maintain the plan and  
1399 allow parents to electronically submit, access, and revise the  
1400 plan continuously.



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1401        ~~6.4.~~ Upon submission by the parent of an annual student  
1402 learning plan, fund a scholarship for a student determined  
1403 eligible.

1404        (f) Must give first priority to eligible renewal students  
1405 who received a scholarship from an eligible nonprofit  
1406 scholarship-funding organization ~~or from the State of Florida~~  
1407 during the previous school year. The eligible nonprofit  
1408 scholarship-funding organization must fully apply and exhaust  
1409 all funds available under this section ~~and s. 1002.40(11)(i)~~ for  
1410 renewal scholarship awards before awarding any initial  
1411 scholarships.

1412        (g) Must provide a new ~~renewal or initial~~ scholarship to  
1413 an eligible student on a first-come, first-served basis unless  
1414 the student is seeking priority eligibility ~~qualifies for~~  
1415 ~~priority~~ pursuant to subsection (3) paragraph (f).

1416        (h) ~~Each eligible nonprofit scholarship-funding~~  
1417 ~~organization~~ Must refer any student eligible for a scholarship  
1418 pursuant to this section who did not receive a renewal or  
1419 initial scholarship based solely on the lack of available funds  
1420 under this section ~~and s. 1002.40(11)(i)~~ to another eligible  
1421 nonprofit scholarship-funding organization that may have funds  
1422 available.

1423        (i) May not restrict or reserve scholarships for use at a  
1424 particular eligible private school or provide scholarships to a  
1425 child of an owner or operator as defined in subparagraph

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1426 (2) (k)1.

1427 (1)1. May use eligible contributions received pursuant to  
1428 this section and ss. 212.099, 212.1831, and 212.1832~~, and~~  
1429 ~~1002.40~~ during the state fiscal year in which such contributions  
1430 are collected for administrative expenses if the organization  
1431 has operated as an eligible nonprofit scholarship-funding  
1432 organization for at least the preceding 3 fiscal years and did  
1433 not have any findings of material weakness or material  
1434 noncompliance in its most recent audit under paragraph (o) or is  
1435 in good standing in each state in which it administers a  
1436 scholarship program and the audited financial statements for the  
1437 preceding 3 fiscal years are free of material misstatements and  
1438 going concern issues. Administrative expenses from eligible  
1439 contributions may not exceed 3 percent of the total amount of  
1440 all scholarships funded by an eligible scholarship-funding  
1441 organization under this chapter. Such administrative expenses  
1442 must be reasonable and necessary for the organization's  
1443 management and distribution of scholarships funded under this  
1444 chapter. Administrative expenses may include developing or  
1445 contracting with rideshare programs or facilitating carpool  
1446 strategies for recipients of a transportation scholarship under  
1447 s. 1002.394. No funds authorized under this subparagraph shall  
1448 be used for lobbying or political activity or expenses related  
1449 to lobbying or political activity. Up to one-third of the funds  
1450 authorized for administrative expenses under this subparagraph

1451 may be used for expenses related to the recruitment of  
1452 contributions from taxpayers. An eligible nonprofit scholarship-  
1453 funding organization may not charge an application fee.

1454 2. Must expend for annual or partial-year scholarships 100  
1455 percent of any eligible contributions from the prior fiscal  
1456 year.

1457 ~~3.2.~~ Must expend ~~award~~ for annual or partial-year  
1458 scholarships an amount equal to or greater than 75 percent of  
1459 all ~~estimated~~ net eligible contributions, as defined in  
1460 subsection (2), ~~and all funds carried forward from the prior~~  
1461 ~~state fiscal year~~ remaining after administrative expenses during  
1462 the state fiscal year in which such eligible contributions are  
1463 collected ~~before funding any scholarships to students determined~~  
1464 ~~eligible pursuant to s. 1002.394(3)(a).~~ No more than 25 percent  
1465 of such net eligible contributions may be carried forward to the  
1466 following state fiscal year. All amounts carried forward, for  
1467 audit purposes, must be specifically identified for particular  
1468 students, by student name and the name of the school to which  
1469 the student is admitted, subject to the requirements of ss.  
1470 1002.22 and 1002.221 and 20 U.S.C. s. 1232g, and the applicable  
1471 rules and regulations issued pursuant thereto. Any amounts  
1472 carried forward shall be expended for annual or partial-year  
1473 scholarships in the following state fiscal year. ~~No later than~~  
1474 ~~September 30 of each year,~~ net Eligible contributions remaining  
1475 on June 30 of each year that are in excess of the 25 percent

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1476 that may be carried forward shall be used to provide  
1477 scholarships to eligible students or transferred to other  
1478 eligible nonprofit scholarship-funding organizations to provide  
1479 scholarships for eligible students. All transferred funds must  
1480 be deposited by each eligible nonprofit scholarship-funding  
1481 organization receiving such funds into its scholarship account.  
1482 All transferred amounts received by any eligible nonprofit  
1483 scholarship-funding organization must be separately disclosed in  
1484 the annual financial audit required under paragraph (o).

1485 ~~4.3.~~ Must, before granting a scholarship for an academic  
1486 year, document each scholarship student's eligibility for that  
1487 academic year. A scholarship-funding organization may not grant  
1488 multiyear scholarships in one approval process.

1489 (p) Must prepare and submit quarterly reports to the  
1490 Department of Education pursuant to paragraph (9)(i). In  
1491 addition, an eligible nonprofit scholarship-funding organization  
1492 must submit in a timely manner the verified list of eligible  
1493 scholarship students and any information requested by the  
1494 Department of Education relating to the scholarship program.

1495 (q)1.a. Must participate in the joint development of  
1496 agreed-upon procedures during the 2009-2010 state fiscal year.  
1497 The agreed-upon procedures must uniformly apply to all private  
1498 schools and must determine, at a minimum, whether the private  
1499 school has been verified as eligible by the Department of  
1500 Education under s. 1002.421; has an adequate accounting system,

1501 system of financial controls, and process for deposit and  
1502 classification of scholarship funds; and has properly expended  
1503 scholarship funds for education-related expenses. During the  
1504 development of the procedures, the participating scholarship-  
1505 funding organizations shall specify guidelines governing the  
1506 materiality of exceptions that may be found during the  
1507 accountant's performance of the procedures. The procedures and  
1508 guidelines shall be provided to private schools and the  
1509 Commissioner of Education by March 15, 2011.

1510 b. Must participate in a joint review of the agreed-upon  
1511 procedures and guidelines developed under sub-subparagraph a.,  
1512 by February of each biennium, if the scholarship-funding  
1513 organization provided more than \$250,000 in scholarship funds  
1514 under this chapter during the state fiscal year preceding the  
1515 biennial review. If the procedures and guidelines are revised,  
1516 the revisions must be provided to private schools and the  
1517 Commissioner of Education by March 15 of the year in which the  
1518 revisions were completed. The revised agreed-upon procedures and  
1519 guidelines shall take effect the subsequent school year.

1520 c. Must monitor the compliance of a participating private  
1521 school with s. 1002.421(1)(q) if the scholarship-funding  
1522 organization provided the majority of the scholarship funding to  
1523 the school. For each participating private school subject to s.  
1524 1002.421(1)(q), the appropriate scholarship-funding organization  
1525 shall annually notify the Commissioner of Education by October

1526 30 of:

1527 (I) A private school's failure to submit a report required  
 1528 under s. 1002.421(1)(q); or

1529 (II) Any material exceptions set forth in the report  
 1530 required under s. 1002.421(1)(q).

1531 2. Must seek input from the accrediting associations that  
 1532 are members of the Florida Association of Academic Nonpublic  
 1533 Schools and the Department of Education when jointly developing  
 1534 the agreed-upon procedures and guidelines under sub-subparagraph  
 1535 1.a. and conducting a review of those procedures and guidelines  
 1536 under sub-subparagraph 1.b.

1537 (t) Must participate in the joint development of agreed-  
 1538 upon purchasing guidelines for authorized uses of scholarship  
 1539 funds under paragraph (d) and s. 1002.394(4)(a) ~~this chapter~~. By  
 1540 December 31, 2023, and by each December 31 thereafter, the  
 1541 purchasing guidelines must be provided to the Commissioner of  
 1542 Education and published on the eligible nonprofit scholarship-  
 1543 funding organization's website. Published purchasing guidelines  
 1544 shall remain in effect until there is unanimous agreement to  
 1545 revise the guidelines, and the revisions must be provided to the  
 1546 commissioner and published on the organization's website within  
 1547 30 days after such revisions. The organization shall assist the  
 1548 Florida Center for Students with Unique Abilities under s.  
 1549 1004.6495 with the development of purchasing guidelines for  
 1550 authorized uses of scholarship funds under s. 1002.394(4)(b) and

1551 publish the guidelines on the organization's website.

1552 (w) Shall commit scholarship funds on behalf of the  
 1553 student for tuition and fees for which the parent is responsible  
 1554 for payment at the participating private school before using  
 1555 scholarship ~~empowerment~~ account funds for additional authorized  
 1556 uses under paragraph (d).

1557 (y) Must establish a process to collect input and feedback  
 1558 from parents, private schools, and providers before implementing  
 1559 substantial modifications or enhancements to the reimbursement  
 1560 process.

1561  
 1562 Information and documentation provided to the Department of  
 1563 Education and the Auditor General relating to the identity of a  
 1564 taxpayer that provides an eligible contribution under this  
 1565 section shall remain confidential at all times in accordance  
 1566 with s. 213.053.

1567 (7) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM  
 1568 PARTICIPATION.—

1569 (a) A parent who applies for a scholarship whose student  
 1570 will be enrolled full time in an eligible ~~a~~ private school must:

1571 1. Select an eligible private school and apply for the  
 1572 admission of his or her child.

1573 2. Request the scholarship by the date established by the  
 1574 organization in a manner that creates a written or electronic  
 1575 record of the request and the date of receipt of the request.

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1576 3.a. Beginning with new applications for the 2025-2026  
1577 school year and thereafter, notify the organization by a date  
1578 set by the organization that the scholarship is being accepted  
1579 or declined.

1580 b. Beginning with renewal applications for the 2025-2026  
1581 school year and thereafter, notify the organization by May 31  
1582 that the scholarship is being renewed or declined.

1583 4.2. Inform the applicable ~~child's~~ school district when  
1584 the parent withdraws his or her student from a public school  
1585 ~~child~~ to attend an eligible private school.

1586 5.3. Require his or her student participating in the  
1587 program to remain in attendance at the eligible private school  
1588 throughout the school year unless excused by the school for  
1589 illness or other good cause and comply with the private school's  
1590 published policies.

1591 6.4. Meet with the eligible private school's principal or  
1592 the principal's designee to review the school's academic  
1593 programs and policies, specialized services, code of student  
1594 conduct, and attendance policies before enrollment ~~in the~~  
1595 ~~private school.~~

1596 7.5. Require his or her student participating in the  
1597 program to take the norm-referenced assessment offered by the  
1598 participating private school. The parent may also choose to have  
1599 the student participate in the statewide assessments pursuant to  
1600 s. 1008.22. If the parent requests that the student



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1601 participating in the ~~scholarship~~ program take statewide  
1602 assessments pursuant to s. 1008.22 and the participating private  
1603 school has not chosen to offer and administer the statewide  
1604 assessments, the parent is responsible for transporting the  
1605 student to the assessment site designated by the school  
1606 district.

1607 ~~8.6.~~ Approve each payment before the scholarship funds may  
1608 be deposited by funds transfer. The parent may not designate any  
1609 entity or individual associated with the participating private  
1610 school as the parent's attorney in fact to approve a funds  
1611 transfer. A participant who fails to comply with this paragraph  
1612 forfeits the scholarship.

1613 ~~9.7.~~ Authorize the nonprofit scholarship-funding  
1614 organization to access information needed for income eligibility  
1615 determination and verification held by other state or federal  
1616 agencies, including the Department of Revenue, the Department of  
1617 Children and Families, the Department of Education, the  
1618 Department of Commerce ~~Economic Opportunity~~, and the Agency for  
1619 Health Care Administration, for students seeking priority  
1620 eligibility.

1621 ~~10.8.~~ Agree to have the organization commit scholarship  
1622 funds on behalf of his or her student for tuition and fees for  
1623 which the parent is responsible for payment at the participating  
1624 private school before using scholarship ~~empowerment~~ account  
1625 funds for additional authorized uses under paragraph (6) (d). A

1626 parent is responsible for all eligible expenses in excess of the  
1627 amount of the scholarship.

1628 11. Comply with the scholarship application and renewal  
1629 processes and requirements established by the organization.

1630 (b) A parent whose student will not be enrolled full time  
1631 in a public or private school must:

1632 1. Apply to an eligible nonprofit scholarship-funding  
1633 organization to participate in the program as a personalized  
1634 education student by a date set by the organization. The request  
1635 must be communicated directly to the organization in a manner  
1636 that creates a written or electronic record of the request and  
1637 the date of receipt of the request. Beginning with new and  
1638 renewal applications for the 2025-2026 school year and  
1639 thereafter, notify the organization by May 31 that the  
1640 scholarship is being accepted, renewed, or declined.

1641 2. Sign an agreement with the organization and annually  
1642 submit a sworn compliance statement to the organization to  
1643 satisfy or maintain program eligibility, including eligibility  
1644 to receive and spend program payments, by:

1645 a. Affirming that the program funds are used only for  
1646 authorized purposes serving the student's educational needs, as  
1647 described in paragraph (6)(d), and that they will not receive a  
1648 payment, refund, or rebate of any funds provided under this  
1649 section.

1650 b. Affirming that the parent is responsible for all

1651 eligible expenses in excess of the amount of the scholarship and  
1652 for the education of his or her student.

1653 c. Submitting a student learning plan to the organization  
1654 and revising the plan at least annually before program renewal.

1655 d. Requiring his or her student to take a nationally norm-  
1656 referenced test identified by the Department of Education, or a  
1657 statewide assessment under s. 1008.22, and provide assessment  
1658 results to the organization before the student's program  
1659 renewal.

1660 e. Complying with the scholarship application and renewal  
1661 processes and requirements established by the organization  
1662 ~~Renewing participation in the program each year.~~ A student whose  
1663 participation in the program is not renewed may continue to  
1664 spend scholarship funds that are in his or her account from  
1665 prior years unless the account must be closed pursuant to s.  
1666 1002.394(5)(a)2.

1667 f. Procuring the services necessary to educate the  
1668 student. When the student receives a scholarship, the district  
1669 school board is not obligated to provide the student with a free  
1670 appropriate public education.

1671  
1672 An eligible nonprofit scholarship-funding organization may not  
1673 further regulate, exercise control over, or require  
1674 documentation beyond the requirements of this subsection unless  
1675 the regulation, control, or documentation is necessary for

1676 participation in the program.

1677 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An  
 1678 eligible private school may be sectarian or nonsectarian and  
 1679 must:

1680 (a) Comply with all requirements for private schools  
 1681 participating in state school choice scholarship programs  
 1682 pursuant to s. 1002.421.

1683 (b) Provide to the organization all documentation required  
 1684 for a student's participation, including confirmation of the  
 1685 student's admission to the private school, the private school's  
 1686 and student's fee schedules, and any other information required  
 1687 by the organization to process scholarship payment pursuant to  
 1688 paragraph (11)(c). Such information must be provided by the  
 1689 deadlines established by the organization and in accordance with  
 1690 the requirements of this section. A student is not eligible to  
 1691 receive a quarterly scholarship payment if the private school  
 1692 fails to meet the deadline.

1693 (c)-(b)1. Annually administer or make provision for  
 1694 students participating in the scholarship program in grades 3  
 1695 through 10 to take one of the nationally norm-referenced tests  
 1696 identified by the department of ~~Education~~ or the statewide  
 1697 assessments pursuant to s. 1008.22. Students with disabilities  
 1698 for whom standardized testing is not appropriate are exempt from  
 1699 this requirement. A participating private school must report a  
 1700 student's scores to the parent. A participating private school

1701 must annually report by August 15 the scores of all  
 1702 participating students to a state university described in  
 1703 paragraph (9)(f).

1704 2. Administer the statewide assessments pursuant to s.  
 1705 1008.22 if a participating private school chooses to offer the  
 1706 statewide assessments. A participating private school may choose  
 1707 to offer and administer the statewide assessments to all  
 1708 students who attend the participating private school in grades 3  
 1709 through 10 and must submit a request in writing to the  
 1710 Department of Education by March 1 of each year in order to  
 1711 administer the statewide assessments in the subsequent school  
 1712 year.

1713  
 1714 If a participating private school fails to meet the requirements  
 1715 of this subsection or s. 1002.421, the commissioner may  
 1716 determine that the participating private school is ineligible to  
 1717 participate in the scholarship program.

1718 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of  
 1719 Education shall:

1720 (d) Notify eligible nonprofit scholarship-funding  
 1721 organizations of the deadlines for submitting the verified list  
 1722 of eligible scholarship students; cross-check the verified list  
 1723 ~~of participating scholarship students~~ with the public school  
 1724 enrollment lists to avoid duplication; and, when the Florida  
 1725 Education Finance Program is recalculated, adjust the amount of

1726 state funds allocated to school districts through the Florida  
 1727 Education Finance Program based upon the results of the cross-  
 1728 check.

1729 (e) Maintain and annually publish a list of nationally  
 1730 norm-referenced tests identified for purposes of satisfying the  
 1731 testing requirement in subparagraph (8)(c)1. ~~(8)(b)1.~~ The tests  
 1732 must meet industry standards of quality in accordance with State  
 1733 Board of Education rule.

1734 (f) Issue a project grant award to a state university, to  
 1735 which participating private schools and eligible nonprofit  
 1736 scholarship-funding organizations must report the scores of  
 1737 participating students on the nationally norm-referenced tests  
 1738 or the statewide assessments administered in grades 3 through  
 1739 10. The project term is 2 years, and the amount of the project  
 1740 is up to \$250,000 per year. The project grant award must be  
 1741 reissued in 2-year intervals in accordance with this paragraph.

1742 1. The state university must annually report to the  
 1743 Department of Education on the student performance of  
 1744 participating students and, beginning with the 2027-2028 school  
 1745 year, on the performance of personalized education students:

1746 a. On a statewide basis. The report shall also include, to  
 1747 the extent possible, a comparison of scholarship students'  
 1748 performance to the statewide student performance of public  
 1749 school students with socioeconomic backgrounds similar to those  
 1750 of students participating in the scholarship program. To

1751 minimize costs and reduce time required for the state  
1752 university's analysis and evaluation, the Department of  
1753 Education shall coordinate with the state university to provide  
1754 data to the state university in order to conduct analyses of  
1755 matched students from public school assessment data and  
1756 calculate control group student performance using an agreed-upon  
1757 methodology with the state university; and

1758       b. On an individual school basis for students enrolled  
1759 full time in a private school. The annual report must include  
1760 student performance for each participating private school in  
1761 which enrolled students in the private school participated in a  
1762 scholarship program under this section or s. 1002.394(12) (a) ~~r~~  
1763 ~~er s. 1002.40~~ in the prior school year. The report shall be  
1764 according to each participating private school, and for  
1765 participating students, in which there are at least 30  
1766 participating students who have scores for tests administered.  
1767 If the state university determines that the 30-participating-  
1768 student cell size may be reduced without disclosing personally  
1769 identifiable information, as described in 34 C.F.R. s. 99.12, of  
1770 a participating student, the state university may reduce the  
1771 participating-student cell size, but the cell size must not be  
1772 reduced to less than 10 participating students. The department  
1773 shall provide each participating private school's prior school  
1774 year's student enrollment information to the state university no  
1775 later than June 15 of each year, or as requested by the state

1776 university.

1777         2. The sharing and reporting of student performance data  
 1778 under this paragraph must be in accordance with requirements of  
 1779 ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g, the Family  
 1780 Educational Rights and Privacy Act, and the applicable rules and  
 1781 regulations issued pursuant thereto, and shall be for the sole  
 1782 purpose of creating the annual report required by subparagraph  
 1783 1. All parties must preserve the confidentiality of such  
 1784 information as required by law. The annual report must not  
 1785 disaggregate data to a level that will identify individual  
 1786 participating schools, except as required under sub-subparagraph  
 1787 1.b., or disclose the academic level of individual students.

1788         3. The annual report required by subparagraph 1. shall be  
 1789 published by the Department of Education on its website.

1790         (i) Require quarterly reports by an eligible nonprofit  
 1791 scholarship-funding organization regarding the number of  
 1792 students participating in the ~~scholarship program;~~ the private  
 1793 schools at which the students are enrolled; the number of  
 1794 scholarship applications received, the number of applications  
 1795 processed within 30 days after receipt, and the number of  
 1796 incomplete applications received; data related to reimbursement  
 1797 submissions, including the average number of days for a  
 1798 reimbursement to be reviewed and the average number of days for  
 1799 a reimbursement to be approved; any parent input and feedback  
 1800 collected regarding the program; and any other information



1801 deemed necessary by the Department of Education.

1802 (10) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.—

1803 (b) Upon the request of the Department of Education, a

1804 school district shall coordinate with the department to provide

1805 to a participating private school the statewide assessments

1806 administered under s. 1008.22 and any related materials for

1807 administering the assessments. A school district is responsible

1808 for implementing test administrations at a participating private

1809 school, including the:

1810 1. Provision of training for participating private school

1811 staff on test security and assessment administration procedures;

1812 2. Distribution of testing materials to a participating

1813 private school;

1814 3. Retrieval of testing materials from a participating

1815 private school;

1816 4. Provision of the required format for a participating

1817 private school to submit information to the district for test

1818 administration and enrollment purposes; and

1819 5. Provision of any required assistance, monitoring, or

1820 investigation at a participating private school.

1821 (11) SCHOLARSHIP AMOUNT AND PAYMENT.—

1822 (c) If a scholarship student is attending an eligible

1823 private school full time, the initial payment shall be made

1824 after the organization's verification of admission acceptance,

1825 and subsequent payments shall be made upon verification of

1826 continued enrollment and attendance at the eligible private  
1827 school. Payments shall be made within 7 business days after  
1828 approval by the parent pursuant to paragraph (7) (a) and the  
1829 private school pursuant to paragraph (8) (b) ~~An eligible~~  
1830 ~~nonprofit scholarship-funding organization shall obtain~~  
1831 ~~verification from the private school of a student's continued~~  
1832 ~~attendance at the school for each period covered by a~~  
1833 ~~scholarship payment.~~

1834 (f) A scholarship awarded to an eligible student shall  
1835 remain in force until:

1836 1. The organization determines that the student is not  
1837 eligible for program renewal;

1838 2. The Commissioner of Education suspends or revokes  
1839 program participation or use of funds;

1840 3. The student's parent has forfeited participation in the  
1841 program for failure to comply with subsection (7);

1842 4. The student who uses the scholarship for full-time  
1843 tuition and fees at an eligible private school pursuant to  
1844 subparagraph (6) (d)2. enrolls full time in a public school.

1845 However, if a student enters a Department of Juvenile Justice  
1846 detention center for a period of no more than 21 days, the  
1847 student is not considered to have returned to a public school on  
1848 a full-time basis for that purpose; or

1849 5. The student graduates from high school or attains 21  
1850 years of age, whichever occurs first.

1851 (h) A student's scholarship account must be closed and any  
 1852 remaining funds shall revert to the state after:

1853 1. Denial or revocation of program eligibility by the  
 1854 commissioner for fraud or abuse, including, but not limited to,  
 1855 the student or student's parent accepting any payment, refund,  
 1856 or rebate, in any manner, from a provider of any services  
 1857 received pursuant to paragraph (6)(d); ~~or~~

1858 2. Two consecutive fiscal years in which an account has  
 1859 been inactive; or

1860 3. The student remains unenrolled in an eligible private  
 1861 school for 30 days while receiving a scholarship that requires  
 1862 full-time enrollment.

1863 (i) Moneys received pursuant to this section do not  
 1864 constitute taxable income to the qualified student or the parent  
 1865 of the qualified student.

1866 Section 5. Section 1002.40, Florida Statutes, is repealed.

1867 Section 6. Paragraph (i) of subsection (1) of section  
 1868 1002.421, Florida Statutes, is amended to read:

1869 1002.421 State school choice scholarship program  
 1870 accountability and oversight.—

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

1876 private school requirements outlined in s. 1002.42, specific  
 1877 requirements identified within respective scholarship program  
 1878 laws, and other provisions of Florida law that apply to private  
 1879 schools, and must:

1880 (i) Maintain a physical location in the state at which  
 1881 each student has regular and direct contact with teachers.  
 1882 Regular and direct contact with teachers may be satisfied for  
 1883 students enrolled in a personalized education program if  
 1884 students have regular and direct contact with teachers at the  
 1885 physical location at least two school days per week and the  
 1886 student learning plan addresses the remaining instructional  
 1887 time.

1888  
 1889 The department shall suspend the payment of funds to a private  
 1890 school that knowingly fails to comply with this subsection, and  
 1891 shall prohibit the school from enrolling new scholarship  
 1892 students, for 1 fiscal year and until the school complies. If a  
 1893 private school fails to meet the requirements of this subsection  
 1894 or has consecutive years of material exceptions listed in the  
 1895 report required under paragraph (q), the commissioner may  
 1896 determine that the private school is ineligible to participate  
 1897 in a scholarship program.

1898 Section 7. Paragraph (a) of subsection (2) of section  
 1899 1002.45, Florida Statutes, is amended to read:

1900 1002.45 Virtual instruction programs.—

1901 (2) PROVIDER QUALIFICATIONS.—

1902 (a) The department shall annually publish on its website a  
 1903 list of providers approved by the State Board of Education to  
 1904 offer virtual instruction programs. To be approved, a virtual  
 1905 instruction program provider must document that it:

1906 ~~1. Is nonsectarian in its programs, admission policies,~~  
 1907 ~~employment practices, and operations;~~

1908 1.2. Complies with the antidiscrimination provisions of s.  
 1909 1000.05;

1910 ~~2.3.~~ Locates an administrative office or offices in this  
 1911 state, requires its administrative staff to be state residents,  
 1912 requires all instructional staff to be Florida-certified  
 1913 teachers under chapter 1012 and conducts background screenings  
 1914 for all employees or contracted personnel, as required by s.  
 1915 1012.32, using state and national criminal history records;

1916 3.4. Electronically provides to parents and students  
 1917 specific information that includes, but is not limited to, the  
 1918 following teacher-parent and teacher-student contact information  
 1919 for each course:

1920 a. How to contact the instructor via phone, e-mail, or  
 1921 online messaging tools.

1922 b. How to contact technical support via phone, e-mail, or  
 1923 online messaging tools.

1924 c. How to contact the administration office via phone, e-  
 1925 mail, or online messaging tools.

1926           d. Any requirement for regular contact with the instructor  
 1927 for the course and clear expectations for meeting the  
 1928 requirement.

1929           e. The requirement that the instructor in each course  
 1930 must, at a minimum, conduct one contact with the parent and the  
 1931 student each month;

1932           4.5. Possesses prior, successful experience offering  
 1933 virtual instruction courses to elementary, middle, or high  
 1934 school students as demonstrated by quantified student learning  
 1935 gains in each subject area and grade level provided for  
 1936 consideration as an instructional program option. However, for a  
 1937 virtual instruction program provider without sufficient prior,  
 1938 successful experience offering online courses, the State Board  
 1939 of Education may conditionally approve the virtual instruction  
 1940 program provider to offer courses measured pursuant to  
 1941 subparagraph (7)(a)2. Conditional approval shall be valid for 1  
 1942 school year only and, based on the virtual instruction program  
 1943 provider's experience in offering the courses, the State Board  
 1944 of Education may grant approval to offer a virtual instruction  
 1945 program;

1946           ~~5.6.~~ Is accredited by a regional accrediting association  
 1947 as defined by State Board of Education rule;

1948           6.7. Ensures instructional and curricular quality through  
 1949 a detailed curriculum and student performance accountability  
 1950 plan that addresses every subject and grade level it intends to

1951 provide through contract with the school district, including:  
 1952       a. Courses and programs that meet the standards of the  
 1953 International Association for K-12 Online Learning and the  
 1954 Southern Regional Education Board.  
 1955       b. Instructional content and services that align with, and  
 1956 measure student attainment of, student proficiency in the state  
 1957 academic standards.  
 1958       c. Mechanisms that determine and ensure that a student has  
 1959 satisfied requirements for grade level promotion and high school  
 1960 graduation with a standard diploma, as appropriate;  
 1961       7.8. Publishes, in accordance with disclosure requirements  
 1962 adopted in rule by the State Board of Education, as part of its  
 1963 application as an approved virtual instruction program provider  
 1964 and in all contracts negotiated pursuant to this section:  
 1965       a. Information and data about the curriculum of each full-  
 1966 time and part-time virtual instruction program.  
 1967       b. School policies and procedures.  
 1968       c. Certification status and physical location of all  
 1969 administrative and instructional personnel.  
 1970       d. Hours and times of availability of instructional  
 1971 personnel.  
 1972       e. Student-teacher ratios.  
 1973       f. Student completion and promotion rates.  
 1974       g. Student, educator, and school performance  
 1975 accountability outcomes;

1976            ~~8.9.~~ If the approved virtual instruction program provider  
 1977 is a Florida College System institution, employs instructors who  
 1978 meet the certification requirements for instructional staff  
 1979 under chapter 1012; and

1980            ~~9.10.~~ Performs an annual financial audit of its accounts  
 1981 and records conducted by an independent auditor who is a  
 1982 certified public accountant licensed under chapter 473. The  
 1983 independent auditor shall conduct the audit in accordance with  
 1984 rules adopted by the Auditor General and in compliance with  
 1985 generally accepted auditing standards, and include a report on  
 1986 financial statements presented in accordance with generally  
 1987 accepted accounting principles. The audit report shall be  
 1988 accompanied by a written statement from the approved virtual  
 1989 instruction program provider in response to any deficiencies  
 1990 identified within the audit report and shall be submitted by the  
 1991 approved virtual instruction program provider to the State Board  
 1992 of Education and the Auditor General no later than 9 months  
 1993 after the end of the preceding fiscal year.

1994            Section 8. Paragraph (c) of subsection (1) of section  
 1995 1003.4156, Florida Statutes, is amended to read:

1996            1003.4156 General requirements for middle grades  
 1997 promotion.—

1998            (1) In order for a student to be promoted to high school  
 1999 from a school that includes middle grades 6, 7, and 8, the  
 2000 student must successfully complete the following courses:



2001 (c) Three middle grades or higher courses in social  
 2002 studies. One of these courses must be at least a one-semester  
 2003 civics education course that includes the roles and  
 2004 responsibilities of federal, state, and local governments; the  
 2005 structures and functions of the legislative, executive, and  
 2006 judicial branches of government; and the meaning and  
 2007 significance of historic documents, such as the Articles of  
 2008 Confederation, the Declaration of Independence, and the  
 2009 Constitution of the United States. All instructional materials  
 2010 for the civics education course must be reviewed and approved by  
 2011 the Commissioner of Education, in consultation with  
 2012 organizations that may include, but are not limited to, the  
 2013 Florida Joint Center for Citizenship, the Bill of Rights  
 2014 Institute, Hillsdale College, the Gilder Lehrman Institute of  
 2015 American History, iCivics, and the Constitutional Sources  
 2016 Project, and with educators, school administrators,  
 2017 postsecondary education representatives, elected officials,  
 2018 business and industry leaders, parents, and the public. Any  
 2019 errors and inaccuracies the commissioner identifies in state-  
 2020 adopted materials must be corrected pursuant to s. 1006.35.  
 2021 After consulting with such entities and individuals, the  
 2022 commissioner shall review the current state-approved civics  
 2023 education course instructional materials and the test  
 2024 specifications for the statewide, standardized EOC assessment in  
 2025 civics education and shall make recommendations for improvements

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2026 to the materials and test specifications by December 31, 2019.  
2027 By December 31, 2020, the department shall complete a review of  
2028 the statewide civics education course standards. Each student's  
2029 performance on the statewide, standardized EOC assessment in  
2030 civics education required under s. 1008.22 constitutes 30  
2031 percent of the student's final course grade. A middle grades  
2032 student who transfers into the state's public school system from  
2033 out of country, out of state, a private school, a personalized  
2034 education program, or a home education program after the  
2035 beginning of the second term of grade 8 is not required to meet  
2036 the civics education requirement for promotion from the middle  
2037 grades if the student's transcript documents passage of three  
2038 courses in social studies or two year-long courses in social  
2039 studies that include coverage of civics education.

2040 Section 9. Subsection (6) of section 1003.4282, Florida  
2041 Statutes, is amended to read:

2042 1003.4282 Requirements for a standard high school  
2043 diploma.—

2044 (6) UNIFORM TRANSFER OF HIGH SCHOOL CREDITS.—Beginning  
2045 with the 2012-2013 school year, if a student transfers to a  
2046 Florida public high school from out of country, out of state, a  
2047 private school, a personalized education program, or a home  
2048 education program and the student's transcript shows a credit in  
2049 Algebra I, the student must pass the statewide, standardized  
2050 Algebra I EOC assessment in order to earn a standard high school

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2051 diploma unless the student earned a comparative score, passed a  
2052 statewide assessment in Algebra I administered by the  
2053 transferring entity, or passed the statewide mathematics  
2054 assessment the transferring entity uses to satisfy the  
2055 requirements of the Elementary and Secondary Education Act, as  
2056 amended by the Every Student Succeeds Act (ESSA), 20 U.S.C. ss.  
2057 6301 et seq. If a student's transcript shows a credit in high  
2058 school reading or English Language Arts II or III, in order to  
2059 earn a standard high school diploma, the student must take and  
2060 pass the statewide, standardized grade 10 ELA assessment, or  
2061 earn a concordant score. If a transfer student's transcript  
2062 shows a final course grade and course credit in Algebra I,  
2063 Geometry, Biology I, or United States History, the transferring  
2064 course final grade and credit shall be honored without the  
2065 student taking the requisite statewide, standardized EOC  
2066 assessment and without the assessment results constituting 30  
2067 percent of the student's final course grade.

2068 Section 10. Paragraph (1) of subsection (4) of section  
2069 1003.485, Florida Statutes, is amended to read:

2070 1003.485 The New Worlds Reading Initiative.—

2071 (4) ADMINISTRATOR RESPONSIBILITIES.—The administrator  
2072 shall:

2073 (1) Expend eligible contributions received only for the  
2074 purchase and delivery of books and to implement the requirements  
2075 of this section, as well as for administrative expenses not to

2076 exceed 2 percent of total eligible contributions.  
 2077 Notwithstanding s. 1002.395(6)(1)3. ~~s. 1002.395(6)(1)2.~~, the  
 2078 administrator may carry forward up to 25 percent of eligible  
 2079 contributions made before January 1 of each state fiscal year  
 2080 and 100 percent of eligible contributions made on or after  
 2081 January 1 of each state fiscal year to the following state  
 2082 fiscal year for purposes authorized by this subsection. Any  
 2083 eligible contributions in excess of the allowable carry forward  
 2084 not used to provide additional books throughout the year to  
 2085 eligible students shall revert to the state treasury.

2086 Section 11. Effective upon this act becoming a law,  
 2087 paragraph (e) is added to subsection (5) of section 1004.6495,  
 2088 Florida Statutes, to read:

2089 1004.6495 Florida Postsecondary Comprehensive Transition  
 2090 Program and Florida Center for Students with Unique Abilities.—

2091 (5) CENTER RESPONSIBILITIES.—The Florida Center for  
 2092 Students with Unique Abilities is established within the  
 2093 University of Central Florida. At a minimum, the center shall:

2094 (e) By July 1, 2024, develop the purchasing guidelines for  
 2095 authorized uses of scholarship funds for the Family Empowerment  
 2096 Scholarship Program under s. 1002.394(4)(b) and by each July 1  
 2097 thereafter, revise such guidelines. The center must consult with  
 2098 parents of a student with a disability participating in the  
 2099 scholarship program in the development and revision of the  
 2100 guidelines and must provide the guidelines to each eligible

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2024

2101 nonprofit scholarship-funding organization that awards  
2102 scholarships to a student eligible for the scholarship program  
2103 under s. 1002.394(3) (b) for publishing on each organization's  
2104 website.

2105 Section 12. Except as otherwise expressly provided in this  
2106 act and except for this section, which shall take effect upon  
2107 this act becoming a law, this act shall take effect July 1,  
2108 2024.