

By the Committee on Education Pre-K -12

581-02693-24

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1                   A bill to be entitled  
2       An act relating to education; amending s. 212.1832,  
3       F.S.; providing definitions; expanding the credit  
4       contributions for eligible nonprofit scholarship-  
5       funding organizations; providing requirements for such  
6       contributions; providing requirements for dealers,  
7       designated agents, private tag agents, and such  
8       organizations relating to such contributions;  
9       providing criminal penalties; requiring persons  
10      convicted of a specified offense to make restitutions  
11      to certain eligible nonprofit scholarship-funding  
12      organizations; requiring the Department of Revenue to  
13      notify affected organizations of specified dealer  
14      information under certain circumstances; providing  
15      penalties for certain dealers, designated agents,  
16      private tag agents, and such organizations; amending  
17      s. 213.053, F.S.; conforming cross-references to  
18      changes made by the act; amending s. 1002.394, F.S.;  
19      revising eligibility requirements for the Family  
20      Empowerment Scholarship Program; providing that  
21      equipment used as instructional materials may only be  
22      purchased for specified academic subjects; providing  
23      that transition services are a coordinated set of  
24      specified activities; authorizing funds to be used for  
25      certain prekindergarten programs; prohibiting certain  
26      eligible students from enrolling in public schools;  
27      providing an exemption to a prohibition against  
28      receiving other educational scholarships; providing  
29      additional criteria for the closure of scholarship

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30 accounts and the reversion of funds to the state;  
31 revising the information that such organizations must  
32 include in their quarterly reports; authorizing the  
33 Department of Education to provide guidance to certain  
34 private schools; revising the documentation that  
35 private schools must provide to such organizations;  
36 revising the process for parents to provide certain  
37 notification to such organizations; prohibiting a  
38 parent from applying for multiple scholarships under  
39 specified programs for a single student at the same  
40 time; requiring such organizations to establish  
41 certain processes; requiring such organizations to  
42 submit specified information to the department;  
43 deleting a requirement that certain students be placed  
44 on a wait list; requiring such organizations to  
45 provide certain notification to parents; revising  
46 provisions relating to a specified administrative fee;  
47 revising provisions relating to increasing the number  
48 of certain scholarships; revising provisions relating  
49 to the payment and disbursement of funds; amending s.  
50 1002.395, F.S.; revising eligibility requirements for  
51 the Florida Tax Credit Scholarship Program;  
52 prohibiting certain eligible students from enrolling  
53 in public schools; providing an exemption to a  
54 prohibition against receiving other educational  
55 scholarships; providing that equipment used as  
56 instructional materials may only be purchased for  
57 specified academic subjects; revising the process for  
58 parents to provide certain notification to such

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59 organizations; prohibiting a parent from applying for  
60 multiple scholarships under specified programs for a  
61 single student at the same time; requiring such  
62 organizations to establish certain processes;  
63 requiring such organizations to assist the Florida  
64 Center for Students with Unique Abilities with the  
65 development of specified guidelines and to publish  
66 such guidelines on their websites; revising department  
67 notification requirements; revising the information  
68 that such organizations must include in their  
69 quarterly reports; revising provisions relating to the  
70 payment and disbursement of funds; authorizing a  
71 charitable organization to apply at any time to  
72 participate in the program as a scholarship-funding  
73 organization; amending s. 1002.40, F.S.; revising  
74 requirements for the Hope Scholarship Program;  
75 amending s. 1002.421, F.S.; revising requirements for  
76 regular and direct contact for certain students;  
77 amending s. 1002.45, F.S.; deleting a requirement that  
78 virtual instruction program providers be nonsectarian;  
79 amending s. 1003.4156, F.S.; providing that certain  
80 requirements apply to middle grade students  
81 transferring from a personalized education program;  
82 amending s. 1003.4282, F.S.; providing that certain  
83 requirements apply to high school students  
84 transferring from a personalized education program;  
85 amending s. 1003.485, F.S.; conforming cross-  
86 references to changes made by the act; amending s.  
87 1004.6495, F.S.; requiring the Florida Center for

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88 Students with Unique Abilities to develop specified  
89 purchasing guidelines by a specified date and annually  
90 revise such guidelines; providing requirements for the  
91 development and revision of such guidelines; requiring  
92 that such guidelines be provided to specified eligible  
93 nonprofit scholarship-funding organizations; providing  
94 effective dates.

95

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

97

98 Section 1. Section 212.1832, Florida Statutes, is amended  
99 to read:

100 212.1832 Credit for contributions to eligible nonprofit  
101 scholarship-funding organizations.—

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

103 (a) "Designated agent" has the same meaning as in s.  
104 212.06(10).

105 (b) "Eligible contribution" or "contribution" means a  
106 monetary contribution from a person purchasing a motor vehicle,  
107 subject to the restrictions provided in this section, to an  
108 eligible nonprofit scholarship-funding organization. The person  
109 making the contribution may not designate a specific student as  
110 the beneficiary of the contribution.

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

113 (d) "Motor vehicle" has the same meaning as in s.  
114 320.01(1)(a), but does not include a heavy truck, truck tractor,  
115 trailer, or motorcycle.

116 (2)~~(1)~~ The purchaser of a motor vehicle shall be granted a

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117 credit of 100 percent of an eligible contribution made to an  
118 eligible nonprofit scholarship-funding organization under this  
119 section ~~s. 1002.40~~ against any tax imposed by the state under  
120 this chapter and collected from the purchaser by a dealer,  
121 designated agent, or private tag agent as a result of the  
122 purchase or acquisition of a motor vehicle, except that a credit  
123 may not exceed the tax that would otherwise be collected from  
124 the purchaser by a dealer, designated agent, or private tag  
125 agent. Each eligible contribution is limited to a single payment  
126 of \$105 per motor vehicle purchased at the time of purchase of a  
127 motor vehicle or a single payment of \$105 per motor vehicle  
128 purchased at the time of registration of a motor vehicle that  
129 was not purchased from a dealer, except that a contribution may  
130 not exceed the state tax imposed under this chapter that would  
131 otherwise be collected from the purchaser by a dealer,  
132 designated agent, or private tag agent. Payments of  
133 contributions shall be made to a dealer at the time of purchase  
134 of a motor vehicle or to a designated agent or private tag agent  
135 at the time of registration of a motor vehicle that was not  
136 purchased from a dealer. An eligible contribution shall be  
137 accompanied by a contribution election form provided by the  
138 Department of Revenue. The form shall include, at a minimum, the  
139 following brief description of the Florida Tax Credit  
140 Scholarship Program: "THE FLORIDA TAX CREDIT SCHOLARSHIP PROGRAM  
141 PROVIDES A STUDENT THE OPPORTUNITY TO APPLY FOR A SCHOLARSHIP TO  
142 ATTEND AN ELIGIBLE PRIVATE SCHOOL OR PERSONALIZE HIS OR HER  
143 EDUCATION." The form shall also include, at a minimum, a section  
144 allowing the consumer to designate, from all participating  
145 scholarship-funding organizations, which organization will

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146 receive his or her donation. For purposes of this subsection,  
147 the term "purchase" does not include the lease or rental of a  
148 motor vehicle.

149 (3)-(2) A dealer shall take a credit against any tax imposed  
150 by the state under this chapter on the purchase of a motor  
151 vehicle in an amount equal to the credit granted to the  
152 purchaser under subsection (2) ~~(1)~~.

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

154 1. Provide the purchaser the contribution election form, as  
155 provided by the department, at the time of purchase of a motor  
156 vehicle or at the time of registration of a motor vehicle that  
157 was not purchased from a dealer.

158 2. Collect eligible contributions.

159 3. Using a form provided by the department, which shall  
160 include the dealer's or agent's federal employer identification  
161 number, remit to an organization no later than the date the  
162 return filed pursuant to s. 212.11 is due the total amount of  
163 contributions made to that organization and collected during the  
164 preceding reporting period. Using the same form, the dealer or  
165 agent shall also report this information to the department no  
166 later than the date the return filed pursuant to s. 212.11 is  
167 due.

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

171 (b) An eligible nonprofit scholarship-funding organization  
172 shall report to the department, on or before the 20th day of  
173 each month, the total amount of contributions received pursuant  
174 to paragraph (a) in the preceding calendar month on a form

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175 provided by the department. Such report shall include:

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

179 2. The amount of contributions received from each  
180 designated agent, private tag agent, or dealer during that  
181 reporting period.

182 (c) A person who, with the intent to unlawfully deprive or  
183 defraud the program of its moneys or the use or benefit thereof,  
184 fails to remit a contribution collected under this section is  
185 guilty of theft, punishable as follows:

186 1. If the total amount stolen is less than \$300, the  
187 offense is a misdemeanor of the second degree, punishable as  
188 provided in s. 775.082 or s. 775.083. Upon a second conviction,  
189 the offender commits a misdemeanor of the first degree,  
190 punishable as provided in s. 775.082 or s. 775.083. Upon a third  
191 or subsequent conviction, the offender commits a felony of the  
192 third degree, punishable as provided in s. 775.082, s. 775.083,  
193 or s. 775.084.

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

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

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

203 (d) A person convicted of an offense under paragraph (c)

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204 shall be ordered by the sentencing judge to make restitution to  
205 the organization in the amount that was stolen from the program.

206 (e) Upon a finding that a dealer failed to remit a  
207 contribution under subparagraph (a)3. for which the dealer  
208 claimed a credit pursuant to this subsection, the department  
209 shall notify the affected organizations of the dealer's name,  
210 address, federal employer identification number, and information  
211 related to differences between credits taken by the dealer  
212 pursuant to this subsection and amounts remitted to the eligible  
213 nonprofit scholarship-funding organization under subparagraph  
214 (a)3.

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

225 (4)~~(3)~~ For purposes of the distributions of tax revenue  
226 under s. 212.20, the department shall disregard any tax credits  
227 allowed under this section to ensure that any reduction in tax  
228 revenue received that is attributable to the tax credits results  
229 only in a reduction in distributions to the General Revenue  
230 Fund. Section 1002.395 applies ~~The provisions of s. 1002.40~~  
231 apply to the credit authorized by this section.

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



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233 213.053, Florida Statutes, is amended to read:

234 213.053 Confidentiality and information sharing.—

235 (22) (a) The department may provide to an eligible nonprofit  
 236 scholarship-funding organization, as defined in s. 1002.395 ~~s.~~  
 237 ~~1002.40~~, a dealer's name, address, federal employer  
 238 identification number, and information related to differences  
 239 between credits taken by the dealer pursuant to s. 212.1832(2)  
 240 and amounts remitted to the eligible nonprofit scholarship-  
 241 funding organization pursuant to s. 212.1832(3)(a)3. ~~under s.~~  
 242 ~~1002.40(13)(b)3.~~ The eligible nonprofit scholarship-funding  
 243 organization may use the information for purposes of recovering  
 244 eligible contributions designated for that organization that  
 245 were collected by the dealer but never remitted to the  
 246 organization.

247 Section 3. Subsections (3) and (4), paragraphs (a), (b),  
 248 and (c) of subsection (5), paragraphs (a), (c), and (d) of  
 249 subsection (6), paragraph (d) of subsection (7), paragraph (a)  
 250 of subsection (8), paragraph (b) of subsection (9), and  
 251 subsections (10), (11), (12), and (16) of section 1002.394,  
 252 Florida Statutes, as amended by chapter 2023-350, Laws of  
 253 Florida, are amended, and paragraph (d) is added to subsection  
 254 (8) of that section, to read:

255 1002.394 The Family Empowerment Scholarship Program.—

256 (3) SCHOLARSHIP ELIGIBILITY.—

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

260 a. Is a resident of this state or the dependent child of an  
 261 active duty member of the United States Armed Forces who has

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262 received permanent change of station orders to this state; and

263 b. Is eligible to enroll in kindergarten through grade 12

264 in a public school in this state or received a scholarship under

265 the Hope Scholarship Program in the 2023-2024 school year.

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

267 a. A student whose household income level does not exceed

268 185 percent of the federal poverty level or who is in foster

269 care or out-of-home care.

270 b. A student whose household income level exceeds 185

271 percent of the federal poverty level, but does not exceed 400

272 percent of the federal poverty level.

273 (b) A parent of a student with a disability may apply for

274 ~~request~~ and receive from the state a scholarship for the

275 purposes specified in paragraph (4) (b) if the student:

276 1. Is a resident of this state or the dependent child of an

277 active duty member of the United States Armed Forces who has

278 received permanent change of station orders to this state or, at

279 the time of renewal, whose home of record or state of legal

280 residence is Florida;

281 2. Is 3 or 4 years of age during ~~on or before September 1~~

282 ~~of~~ the year in which the student applies for program

283 participation or is eligible to enroll in kindergarten through

284 grade 12 in a public school in this state;

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

286 4. Is the subject of an IEP written in accordance with

287 rules of the State Board of Education or with the applicable

288 rules of another state or has received a diagnosis of a

289 disability from a physician who is licensed under chapter 458 or

290 chapter 459, a psychologist who is licensed under chapter 490,

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291 or a physician who holds an active license issued by another  
292 state or territory of the United States, the District of  
293 Columbia, or the Commonwealth of Puerto Rico.

294 ~~(c) An approved student who does not receive a scholarship~~  
295 ~~must be placed on the wait list in the order in which the~~  
296 ~~student is approved. An eligible student who does not receive a~~  
297 ~~scholarship within the fiscal year must be retained on the wait~~  
298 ~~list for the subsequent year.~~

299 (4) AUTHORIZED USES OF PROGRAM FUNDS.—

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

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

303 2. Transportation to a Florida public school in which a  
304 student is enrolled and that is different from the school to  
305 which the student was assigned or to a lab school as defined in  
306 s. 1002.32.

307 3. Instructional materials, including digital materials and  
308 Internet resources. Equipment used as instructional materials  
309 may only be purchased for subjects in language arts and reading,  
310 mathematics, social studies, and science.

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

312 5. Tuition and fees associated with full-time or part-time  
313 enrollment in an eligible postsecondary educational institution  
314 or a program offered by the postsecondary educational  
315 institution, unless the program is subject to s. 1009.25 or  
316 reimbursed pursuant to s. 1009.30; an approved preapprenticeship  
317 program as defined in s. 446.021(5) which is not subject to s.  
318 1009.25 and complies with all applicable requirements of the  
319 department pursuant to chapter 1005; a private tutoring program

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320 authorized under s. 1002.43; a virtual program offered by a  
321 department-approved private online provider that meets the  
322 provider qualifications specified in s. 1002.45(2)(a); the  
323 Florida Virtual School as a private paying student; or an  
324 approved online course offered pursuant to s. 1003.499 or s.  
325 1004.0961.

326 6. Fees for nationally standardized, norm-referenced  
327 achievement tests, Advanced Placement Examinations, industry  
328 certification examinations, assessments related to postsecondary  
329 education, or other assessments.

330 7. Contracted services provided by a public school or  
331 school district, including classes. A student who receives  
332 contracted services under this subparagraph is not considered  
333 enrolled in a public school for eligibility purposes as  
334 specified in subsection (6) but rather attending a public school  
335 on a part-time basis as authorized under s. 1002.44.

336 8. Tuition and fees for part-time tutoring services or fees  
337 for services provided by a choice navigator. Such services must  
338 be provided by a person who holds a valid Florida educator's  
339 certificate pursuant to s. 1012.56, a person who holds an  
340 adjunct teaching certificate pursuant to s. 1012.57, a person  
341 who has a bachelor's degree or a graduate degree in the subject  
342 area in which instruction is given, a person who has  
343 demonstrated a mastery of subject area knowledge pursuant to s.  
344 1012.56(5), or a person certified by a nationally or  
345 internationally recognized research-based training program as  
346 approved by the department. As used in this subparagraph, the  
347 term "part-time tutoring services" does not qualify as regular  
348 school attendance as defined in s. 1003.01(16)(e).

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

352 1. Instructional materials, including digital devices,  
353 digital periphery devices, and assistive technology devices that  
354 allow a student to access instruction or instructional content  
355 and training on the use of and maintenance agreements for these  
356 devices.

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

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

361 a. Applied behavior analysis services as provided in ss.  
362 627.6686 and 641.31098.

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

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

366 d. Services provided by physical therapists as defined in  
367 s. 486.021(8).

368 e. Services provided by listening and spoken language  
369 specialists and an appropriate acoustical environment for a  
370 child who has a hearing impairment, including deafness, and who  
371 has received an implant or assistive hearing device.

372 4. Tuition and fees associated with full-time or part-time  
373 enrollment in a home education program; an eligible private  
374 school; an eligible postsecondary educational institution or a  
375 program offered by the postsecondary educational institution,  
376 unless the program is subject to s. 1009.25 or reimbursed  
377 pursuant to s. 1009.30; an approved preapprenticeship program as

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378 defined in s. 446.021(5) which is not subject to s. 1009.25 and  
379 complies with all applicable requirements of the department  
380 pursuant to chapter 1005; a private tutoring program authorized  
381 under s. 1002.43; a virtual program offered by a department-  
382 approved private online provider that meets the provider  
383 qualifications specified in s. 1002.45(2)(a); the Florida  
384 Virtual School as a private paying student; or an approved  
385 online course offered pursuant to s. 1003.499 or s. 1004.0961.

386 5. Fees for nationally standardized, norm-referenced  
387 achievement tests, Advanced Placement Examinations, industry  
388 certification examinations, assessments related to postsecondary  
389 education, or other assessments.

390 6. Contributions to the Stanley G. Tate Florida Prepaid  
391 College Program pursuant to s. 1009.98 or the Florida College  
392 Savings Program pursuant to s. 1009.981 for the benefit of the  
393 eligible student.

394 7. Contracted services provided by a public school or  
395 school district, including classes. A student who receives  
396 services under a contract under this paragraph is not considered  
397 enrolled in a public school for eligibility purposes as  
398 specified in subsection (6) but rather attending a public school  
399 on a part-time basis as authorized under s. 1002.44.

400 8. Tuition and fees for part-time tutoring services or fees  
401 for services provided by a choice navigator. Such services must  
402 be provided by a person who holds a valid Florida educator's  
403 certificate pursuant to s. 1012.56, a person who holds an  
404 adjunct teaching certificate pursuant to s. 1012.57, a person  
405 who has a bachelor's degree or a graduate degree in the subject  
406 area in which instruction is given, a person who has

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407 demonstrated a mastery of subject area knowledge pursuant to s.  
408 1012.56(5), or a person certified by a nationally or  
409 internationally recognized research-based training program as  
410 approved by the department. As used in this subparagraph, the  
411 term "part-time tutoring services" does not qualify as regular  
412 school attendance as defined in s. 1003.01(16)(e).

413 9. Fees for specialized summer education programs.

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

415 11. Transition services provided by job coaches. Transition  
416 services are a coordinated set of activities which are focused  
417 on improving the academic and functional achievement of a  
418 student with a disability to facilitate the student's movement  
419 from school to postschool activities and are based on the  
420 student's needs.

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

424 13. Tuition and fees associated with programs offered by  
425 Voluntary Prekindergarten Education Program providers approved  
426 pursuant to s. 1002.55, ~~and~~ school readiness providers approved  
427 pursuant to s. 1002.88, and prekindergarten programs offered by  
428 an eligible private school.

429 14. Fees for services provided at a center that is a member  
430 of the Professional Association of Therapeutic Horsemanship  
431 International.

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

435 (5) TERM OF SCHOLARSHIP.—For purposes of continuity of

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436 educational choice:

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

439 a. The organization determines that the student is not  
440 eligible for program renewal;

441 b. The Commissioner of Education suspends or revokes  
442 program participation or use of funds;

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

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

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

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

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

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

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



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465           b. Reimbursements for program expenditures may continue  
466 until the account balance is expended or remaining funds have  
467 reverted to the state.

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

470           a. The parent does not renew program eligibility;

471           b. The organization determines that the student is not  
472 eligible for program renewal;

473           c. The Commissioner of Education suspends or revokes  
474 program participation or use of funds;

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

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

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

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

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

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

493           b. Any period of 3 consecutive years after high school

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494 completion or graduation during which the student has not been  
495 enrolled in an eligible postsecondary educational institution or  
496 a program offered by the institution; or

497 c. Two consecutive fiscal years in which an account has  
498 been inactive.

499 (c) Upon reasonable notice to the organization and the  
500 school district, the student's parent may remove the student  
501 from the participating private school and place the student in a  
502 public school in accordance with this section.

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

505 (a) Enrolled full time in a public school, including, but  
506 not limited to, the Florida School for the Deaf and the Blind,  
507 the College-Preparatory Boarding Academy, the Florida School for  
508 Competitive Academics, the Florida Virtual School, the Florida  
509 Scholars Academy, a developmental research school authorized  
510 under s. 1002.32, or a charter school authorized under this  
511 chapter. For purposes of this paragraph, a 3- or 4-year-old  
512 child who receives services funded through the Florida Education  
513 Finance Program is considered to be a student enrolled in a  
514 public school;

515 (c) Receiving any other educational scholarship pursuant to  
516 this chapter. However, an eligible public school student  
517 receiving a scholarship under s. 1002.411 may receive a  
518 scholarship for transportation pursuant to subparagraph

519 (4) (a) 2.;

520 (d) Not having regular and direct contact with his or her  
521 private school teachers pursuant to s. 1002.421(1)(i), unless he  
522 or she is eligible pursuant to paragraph (3)(b) and enrolled in

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523 the participating private school's transition-to-work program  
524 pursuant to subsection (16) or a home education program pursuant  
525 to s. 1002.41;

526 (7) SCHOOL DISTRICT OBLIGATIONS.—

527 (d) Upon the request of the department, a school district  
528 shall coordinate with the department to provide to a  
529 participating private school the statewide assessments  
530 administered under s. 1008.22 and any related materials for  
531 administering the assessments. For a student who participates in  
532 the Family Empowerment Scholarship Program whose parent requests  
533 that the student take the statewide assessments under s.  
534 1008.22, the district in which the student attends a  
535 participating private school shall provide locations and times  
536 to take all statewide assessments. A school district is  
537 responsible for implementing test administrations at a  
538 participating private school, including the:

- 539 1. Provision of training for private school staff on test  
540 security and assessment administration procedures;
- 541 2. Distribution of testing materials to a private school;
- 542 3. Retrieval of testing materials from a private school;
- 543 4. Provision of the required format for a private school to  
544 submit information to the district for test administration and  
545 enrollment purposes; and
- 546 5. Provision of any required assistance, monitoring, or  
547 investigation at a private school.

548 (8) DEPARTMENT OF EDUCATION OBLIGATIONS.—

549 (a) The department shall:

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

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

554 2. Report, as part of the determination of full-time  
555 equivalent membership pursuant to s. 1011.62(1)(a), all  
556 scholarship students ~~who are receiving a scholarship under the~~  
557 ~~program and are~~ funded through the Florida Education Finance  
558 Program, and cross-check the list of ~~participating~~ scholarship  
559 students submitted by the eligible nonprofit scholarship-funding  
560 organization with the full-time equivalent student membership  
561 survey data ~~public school enrollment lists~~ to avoid duplication.

562 3. Maintain and annually publish a list of nationally norm-  
563 referenced tests identified for purposes of satisfying the  
564 testing requirement in subparagraph (9)(c)1. The tests must meet  
565 industry standards of quality in accordance with state board  
566 rule.

567 4. Notify eligible nonprofit scholarship-funding  
568 organizations of the deadlines for submitting the verified list  
569 of eligible scholarship students ~~determined to be eligible for a~~  
570 ~~scholarship. An eligible nonprofit scholarship-funding~~  
571 ~~organization may not submit a student for funding after February~~  
572 ~~1.~~

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

575 6. Notify the parent and the organization when a  
576 scholarship account is closed and program funds revert to the  
577 state.

578 7. Notify an eligible nonprofit scholarship-funding  
579 organization of any of the organization's or other  
580 organization's identified students who are receiving

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581 scholarships under this chapter.

582 8. Maintain on its website a list of approved providers as  
583 required by s. 1002.66, eligible postsecondary educational  
584 institutions, eligible private schools, and eligible  
585 organizations and may identify or provide links to lists of  
586 other approved providers.

587 9. Require each organization to verify eligible  
588 expenditures before the distribution of funds for any  
589 expenditures made pursuant to subparagraphs (4) (b)1. and 2.  
590 Review of expenditures made for services specified in  
591 subparagraphs (4) (b)3.-15. may be completed after the purchase  
592 is made.

593 10. Investigate any written complaint of a violation of  
594 this section by a parent, a student, a participating private  
595 school, a public school, a school district, an organization, a  
596 provider, or another appropriate party in accordance with the  
597 process established under s. 1002.421.

598 11. Require quarterly reports by an organization, which  
599 must include, at a minimum, the number of students participating  
600 in the program; the demographics of program participants; the  
601 disability category of program participants; the matrix level of  
602 services, if known; the program award amount per student; the  
603 total expenditures for the purposes specified in paragraph  
604 (4) (b); the types of providers of services to students; the  
605 number of scholarship applications received, the number of  
606 applications processed within 30 days after receipt, and the  
607 number of incomplete applications received; data related to  
608 reimbursement submissions, including the average number of days  
609 for a reimbursement to be reviewed and the average number of

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610 days for a reimbursement to be approved; any parent input and  
611 feedback collected regarding the program; and any other  
612 information deemed necessary by the department.

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

618 13. Adjust payments to eligible nonprofit scholarship-  
619 funding organizations and, when the Florida Education Finance  
620 Program is recalculated, adjust the amount of state funds  
621 allocated to school districts through the Florida Education  
622 Finance Program based upon the results of the cross-check  
623 completed pursuant to subparagraph 2.

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

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

631 (b) Provide to the organization all documentation required  
632 for a student's participation, including confirmation of the  
633 student's admission to the private school, the private school's  
634 and student's fee schedules, and any other information required  
635 by the organization to process scholarship payment under  
636 subparagraph (12) (a)4. Such information must be provided by the  
637 deadlines established by the organization and in accordance with  
638 the requirements of this section ~~at least 30 days before any~~

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639 ~~quarterly scholarship payment is made for the student pursuant~~  
640 ~~to paragraph (12)(a).~~ A student is not eligible to receive a  
641 quarterly scholarship payment if the private school fails to  
642 meet the ~~this~~ deadline.

643

644 If a private school fails to meet the requirements of this  
645 subsection or s. 1002.421, the commissioner may determine that  
646 the private school is ineligible to participate in the  
647 scholarship program.

648 (10) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM  
649 PARTICIPATION.—

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

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

655 2. Request the scholarship by the ~~a~~ date established by the  
656 organization, in a manner that creates a written or electronic  
657 record of the request and the date of receipt of the request.

658 3.a. Beginning with new applications for the 2025-2026  
659 school year and thereafter, notify the organization by December  
660 15 that the scholarship is being accepted or declined.

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

664 ~~4.3.~~ Inform the applicable school district when the parent  
665 withdraws his or her student from a public school to attend an  
666 eligible private school.

667 ~~5.4.~~ Require his or her student participating in the

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668 program to remain in attendance at the eligible private school  
669 throughout the school year unless excused by the school for  
670 illness or other good cause.

671 ~~6.5.~~ Meet with the eligible private school's principal or  
672 the principal's designee to review the school's academic  
673 programs and policies, specialized services, code of student  
674 conduct, and attendance policies before enrollment.

675 ~~7.6.~~ Require his or her ~~that the~~ student participating in  
676 the ~~scholarship~~ program to take ~~takes~~ the norm-referenced  
677 assessment offered by the eligible private school. The parent  
678 may also choose to have the student participate in the statewide  
679 assessments pursuant to paragraph (7) (d). If the parent requests  
680 that the student participating in the program take all statewide  
681 assessments required pursuant to s. 1008.22, the parent is  
682 responsible for transporting the student to the assessment site  
683 designated by the school district.

684 ~~8.7.~~ Approve each payment before the scholarship funds may  
685 be deposited by funds transfer pursuant to subparagraph  
686 (12) (a)4. The parent may not designate any entity or individual  
687 associated with the participating private school as the parent's  
688 attorney in fact to approve a funds transfer. A participant who  
689 fails to comply with this paragraph forfeits the scholarship.

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



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697 10. Comply with the scholarship application and renewal  
698 processes and requirements established by the organization.

699 (b) A parent who applies for a scholarship ~~applies for~~  
700 ~~program participation~~ under paragraph (3)(b) is exercising his  
701 or her parental option to determine the appropriate placement or  
702 the services that best meet the needs of his or her child and  
703 must:

704 1. Apply to an eligible nonprofit scholarship-funding  
705 organization to participate in the program by a date set by the  
706 organization. The request must be communicated directly to the  
707 organization in a manner that creates a written or electronic  
708 record of the request and the date of receipt of the request.

709 2.a. Beginning with new applications for the 2025-2026  
710 school year and thereafter, notify the organization by December  
711 15 that the scholarship is being accepted or declined.

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

715 3.2. Sign an agreement with the organization and annually  
716 submit a sworn compliance statement to the organization to  
717 satisfy or maintain program eligibility, including eligibility  
718 to receive and spend program payments by:

719 a. Affirming that the student is enrolled in a program that  
720 meets regular school attendance requirements as provided in s.  
721 1003.01(16)(b), (c), or (d).

722 b. Affirming that the program funds are used only for  
723 authorized purposes serving the student's educational needs, as  
724 described in paragraph (4)(b); that any prepaid college plan or  
725 college savings plan funds contributed pursuant to subparagraph

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726 (4) (b) 6. will not be transferred to another beneficiary while  
727 the plan contains funds contributed pursuant to this section;  
728 and that they will not receive a payment, refund, or rebate of  
729 any funds provided under this section.

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

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

735 (II) Providing an annual evaluation in accordance with s.  
736 1002.41 (1) (f); or

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

746 d. Affirming that the student remains in good standing with  
747 the provider or school if those options are selected by the  
748 parent.

749 e. Enrolling his or her child in a program from a Voluntary  
750 Prekindergarten Education Program provider authorized under s.  
751 1002.55, a school readiness provider authorized under s.  
752 1002.88, a prekindergarten program offered by an eligible  
753 private school, or an eligible private school if ~~either option~~  
754 ~~is~~ selected by the parent.

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

770           g. Procuring the services necessary to educate the student.  
771 If such services include enrollment in an eligible private  
772 school, the parent must meet with the private school's principal  
773 or the principal's designee to review the school's academic  
774 programs and policies, specialized services, code of student  
775 conduct, and attendance policies before his or her student is  
776 enrolled. The parent must also approve each payment to the  
777 eligible private school before the scholarship funds may be  
778 deposited by funds transfer pursuant to subparagraph (12) (a) 4.  
779 The parent may not designate any entity or individual associated  
780 with the eligible private school as the parent's attorney in  
781 fact to approve a funds transfer. When the student receives a  
782 scholarship, the district school board is not obligated to  
783 provide the student with a free appropriate public education.

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784 For purposes of s. 1003.57 and the Individuals with Disabilities  
785 in Education Act, a participating student has only those rights  
786 that apply to all other unilaterally parentally placed students,  
787 except that, when requested by the parent, school district  
788 personnel must develop an IEP or matrix level of services.

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

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

794 (11) OBLIGATIONS OF ELIGIBLE SCHOLARSHIP-FUNDING  
795 ORGANIZATIONS.—

796 (a) An eligible nonprofit scholarship-funding organization  
797 awarding scholarships to eligible students pursuant to paragraph  
798 (3) (a) shall:

799 1. Establish a process for parents who are in compliance  
800 with paragraph (10) (a) to renew their students' scholarships.  
801 Renewal applications for the 2025-2026 school year and  
802 thereafter must provide for a renewal timeline beginning  
803 February 1 of the prior school year and ending April 30 of the  
804 prior school year. A student's renewal is contingent upon an  
805 eligible private school providing confirmation of student  
806 admission pursuant to subsection (9). The process must require  
807 that parents confirm that the scholarship is being renewed or  
808 declined by May 31.

809 2. Establish a process that allows a parent to apply for a  
810 new scholarship. The process may begin no earlier than February  
811 1 of the prior school year and must authorize submission of  
812 applications until November 15. The process must be in a manner

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813 that creates a written or electronic record of the application  
814 request and the date of receipt of the application request.  
815 Applications received after the deadline may be considered for  
816 scholarship award in the subsequent fiscal year. The process  
817 must require that parents confirm that the scholarship is being  
818 accepted or declined by December 15 ~~Must receive applications,~~  
819 ~~determine student eligibility, notify parents in accordance with~~  
820 ~~the requirements of this section, and provide the department~~  
821 ~~with information on the student to enable the department to~~  
822 ~~determine student funding in accordance with paragraph (12) (a).~~

823 3.2. Shall ~~Verify~~ the household income level of students  
824 seeking priority eligibility and submit the verified list of  
825 students and ~~related documentation~~ to the department when  
826 necessary.

827 4.3. Shall Award scholarships in priority order pursuant to  
828 paragraph (3) (a).

829 5.4. Shall Establish and maintain separate scholarship  
830 ~~empowerment~~ accounts for each eligible student. For each  
831 account, the organization must maintain a record of accrued  
832 interest that is retained in the student's account and available  
833 only for authorized program expenditures.

834 6.5. May ~~Permit~~ eligible students to use program funds for  
835 the purposes specified in paragraph (4) (a) by paying for the  
836 authorized use directly, then submitting a reimbursement request  
837 to the eligible nonprofit scholarship-funding organization.  
838 However, an eligible nonprofit scholarship-funding organization  
839 may require the use of an online platform for direct purchases  
840 of products so long as such use does not limit a parent's choice  
841 of curriculum or academic programs. If a parent purchases a

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842 product identical to one offered by an organization's online  
843 platform for a lower price, the organization shall reimburse the  
844 parent the cost of the product.

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

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

859 8. ~~Must~~ Notify the department about any violation of this  
860 section.

861 9. ~~Must~~ Document each student's eligibility for a fiscal  
862 year before granting a scholarship for that fiscal year. A  
863 student is ineligible for a scholarship if the student's account  
864 has been inactive for 2 consecutive fiscal years.

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

867 11. ~~Shall~~ Commit scholarship funds on behalf of the student  
868 for tuition and fees for which the parent is responsible for  
869 payment at the participating private school before using  
870 scholarship empowerment account funds for additional authorized

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871 uses under paragraph (4) (a).

872 (b) An eligible nonprofit scholarship-funding organization  
873 awarding scholarships to eligible students pursuant to paragraph  
874 (3) (b) shall:

875 1. Establish a process for parents who are in compliance  
876 with paragraph (10) (b) to renew their students' scholarships.  
877 Renewal applications for the 2025-2026 school year and  
878 thereafter must provide for a renewal timeline beginning  
879 February 1 of the prior school year and ending April 30 of the  
880 prior school year. A student's renewal is contingent upon an  
881 eligible private school providing confirmation of student  
882 admission pursuant to subsection (9), if applicable. The process  
883 must require that parents confirm that the scholarship is being  
884 renewed or declined by May 31.

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

895 ~~1. Receive applications, determine student eligibility, and~~  
896 ~~notify parents in accordance with the requirements of this~~  
897 ~~section. When an application is approved, the organization must~~  
898 ~~provide the department with information on the student to enable~~  
899 ~~the department to determine student funding in accordance with~~

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900 ~~paragraph (12) (b).~~

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

903 3. Review applications and award scholarships using the  
904 following priorities:

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

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

909 ~~e. Students retained on the previous school year's wait~~  
910 ~~list.~~

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

914

915 ~~An approved student who does not receive a scholarship must be~~  
916 ~~placed on the wait list in the order in which his or her~~  
917 ~~application is approved. A student who does not receive a~~  
918 ~~scholarship within the fiscal year shall be retained on the wait~~  
919 ~~list for the subsequent fiscal year.~~

920 4. Establish and maintain separate accounts for each  
921 eligible student. For each account, the organization must  
922 maintain a record of accrued interest that is retained in the  
923 student's account and available only for authorized program  
924 expenditures.

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

927 6. Return any remaining program funds to the department  
928 pursuant to paragraph (6) (b).



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929           7. Notify the parent about the availability of, and the  
930 requirements associated with requesting, an initial IEP or IEP  
931 reevaluation every 3 years for each student participating in the  
932 program.

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

935           9. In a timely manner, submit to the department the  
936 verified list of eligible scholarship students and any  
937 information requested by the department relating to the  
938 scholarship under this section.

939           ~~10.8.~~ Notify the department of any violation of this  
940 section.

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

946           (c) An eligible nonprofit scholarship-funding organization  
947 may, from eligible contributions received pursuant to s.  
948 1002.395(6) (1)1., use an amount not to exceed 2.5 percent of the  
949 total amount of all scholarships funded under this section for  
950 administrative expenses associated with performing functions  
951 under this section. An organization that has, for the prior  
952 fiscal year, complied with the expenditure requirements of s.  
953 1002.395(6) (1)3. may use an amount not to exceed 3 percent. Such  
954 administrative expense amount is considered within the 3-percent  
955 limit on the total amount an organization may use to administer  
956 scholarships under this chapter.

957           (d) An eligible nonprofit scholarship-funding organization

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958 shall establish a process to collect input and feedback from  
959 parents, private schools, and providers before implementing  
960 substantial modifications or enhancements to the reimbursement  
961 process.

962 (12) SCHOLARSHIP FUNDING AND PAYMENT.—

963 (a)1. ~~Scholarships for students determined eligible~~  
964 ~~pursuant to paragraph (3) (a) may be funded once all scholarships~~  
965 ~~have been funded in accordance with s. 1002.395(6)(1)2.~~ The  
966 calculated scholarship amount for a participating student  
967 determined eligible pursuant to paragraph (3) (a) shall be based  
968 upon the grade level and school district in which the student  
969 was assigned as 100 percent of the funds per unweighted full-  
970 time equivalent in the Florida Education Finance Program for a  
971 student in the basic program established pursuant to s.  
972 1011.62(1)(c)1., plus a per-full-time equivalent share of funds  
973 for the categorical programs established in s. 1011.62(5),  
974 (7) (a), and (16), as funded in the General Appropriations Act.

975 2. A scholarship of \$750 or an amount equal to the school  
976 district expenditure per student riding a school bus, as  
977 determined by the department, whichever is greater, may be  
978 awarded to an eligible student who is enrolled in a Florida  
979 public school that is different from the school to which the  
980 student was assigned or in a lab school as defined in s. 1002.32  
981 if the school district does not provide the student with  
982 transportation to the school.

983 3.a. For renewing scholarship students, the organization  
984 ~~must provide the department with the documentation necessary to~~  
985 ~~verify the student's~~ continued eligibility to participate in the  
986 scholarship program at least 30 days before each payment

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987 ~~participation.~~ Upon receiving the verified list of eligible  
988 scholarship students ~~documentation,~~ the department shall release  
989 ~~transfer, beginning August 1,~~ from state funds only, the amount  
990 calculated pursuant to subparagraph 1. 2. to the organization  
991 for deposit into the student's account in quarterly payments no  
992 later than August 1, November 1, February 1, and April 1 of  
993 ~~quarterly disbursement to parents of participating students~~ each  
994 school year in which the scholarship is in force.

995 b. For new scholarship students, the organization must  
996 verify the student's eligibility to participate in the  
997 scholarship program at least 30 days before each payment. Upon  
998 receiving the verified list of eligible scholarship students,  
999 the department shall release, from state funds only, the amount  
1000 calculated pursuant to subparagraph 1. to the organization for  
1001 deposit into the student's account in quarterly payments no  
1002 later than September 1, November 1, February 1, and April 1 of  
1003 each school year in which the scholarship is in force. For a  
1004 student exiting a Department of Juvenile Justice commitment  
1005 program who chooses to participate in the scholarship program,  
1006 the amount calculated pursuant to subparagraph 1. must be  
1007 transferred from the school district in which the student last  
1008 attended a public school before commitment to the Department of  
1009 Juvenile Justice.

1010 c. The department is authorized to release the state funds  
1011 contingent upon verification that the organization will comply  
1012 with s. 1002.395(6)(1) based upon the organization's submitted  
1013 verified list of eligible scholarship students pursuant to s.  
1014 1002.395 ~~For a student exiting a Department of Juvenile Justice~~  
1015 ~~commitment program who chooses to participate in the scholarship~~

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1016 ~~program, the amount of the Family Empowerment Scholarship~~  
1017 ~~calculated pursuant to subparagraph 2. must be transferred from~~  
1018 ~~the school district in which the student last attended a public~~  
1019 ~~school before commitment to the Department of Juvenile Justice.~~  
1020 ~~When a student enters the scholarship program, the organization~~  
1021 ~~must receive all documentation required for the student's~~  
1022 ~~participation, including the private school's and the student's~~  
1023 ~~fee schedules, at least 30 days before the first quarterly~~  
1024 ~~scholarship payment is made for the student.~~

1025 4. The initial payment shall be made after the  
1026 organization's verification of admission acceptance, and  
1027 subsequent payments shall be made upon verification of continued  
1028 enrollment and attendance at the participating private school.  
1029 Payments for tuition and fees for full-time enrollment shall be  
1030 made within 7 business days after approval by the parent  
1031 pursuant to paragraph (10) (a) and the private school pursuant to  
1032 paragraph (9) (b). Payment must be by funds transfer or any other  
1033 means of payment that the department deems to be commercially  
1034 viable or cost-effective. An organization shall ensure that the  
1035 parent has approved a funds transfer before any scholarship  
1036 funds are deposited.

1037 5. An organization may not transfer any funds to an account  
1038 of a student determined eligible pursuant to paragraph (3) (a)  
1039 which has a balance in excess of \$24,000.

1040 (b)1. For the 2023-2024 school year, the maximum number of  
1041 students participating in the scholarship program under  
1042 paragraph (3) (b) shall be the number of students the  
1043 organization and the department determined eligible pursuant to  
1044 this section. Beginning in the 2024-2025 school year, the

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1045 maximum number of scholarships funded ~~students participating in~~  
1046 ~~the scholarship program~~ under paragraph (3)(b) shall annually  
1047 increase by 5.0 ~~3.0~~ percent of the state's total exceptional  
1048 student education full-time equivalent student membership, not  
1049 including gifted students. The maximum number of scholarships  
1050 funded shall increase by 1.0 percent of the state's total  
1051 exceptional student education full-time equivalent student  
1052 membership, not including gifted students, in the school year  
1053 following any school year in which the number of scholarships  
1054 funded exceeds 95 percent of the number of available  
1055 scholarships for that school year. An eligible student who meets  
1056 any of the following requirements shall be excluded from the  
1057 maximum number of students if the student:

1058 a. Received specialized instructional services under the  
1059 Voluntary Prekindergarten Education Program pursuant to s.  
1060 1002.66 during the previous school year and the student has a  
1061 current IEP developed by the district school board in accordance  
1062 with rules of the State Board of Education;

1063 b. Is a dependent child of a law enforcement officer or a  
1064 member of the United States Armed Forces, a foster child, or an  
1065 adopted child; or

1066 c. Spent the prior school year in attendance at a Florida  
1067 public school or the Florida School for the Deaf and the Blind.  
1068 For purposes of this subparagraph, the term "prior school year  
1069 in attendance" means that the student was enrolled and reported  
1070 by:

1071 (I) A school district for funding during either the  
1072 preceding October or February full-time equivalent student  
1073 membership surveys in kindergarten through grade 12, which

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1074 includes time spent in a Department of Juvenile Justice  
1075 commitment program if funded under the Florida Education Finance  
1076 Program;

1077 (II) The Florida School for the Deaf and the Blind during  
1078 the preceding October or February full-time equivalent student  
1079 membership surveys in kindergarten through grade 12;

1080 (III) A school district for funding during the preceding  
1081 October or February full-time equivalent student membership  
1082 surveys, was at least 4 years of age when enrolled and reported,  
1083 and was eligible for services under s. 1003.21(1)(e); or

1084 (IV) Received a John M. McKay Scholarship for Students with  
1085 Disabilities in the 2021-2022 school year.

1086 2. For a student who has a Level I to Level III matrix of  
1087 services or a diagnosis by a physician or psychologist, the  
1088 calculated scholarship amount for a student participating in the  
1089 program must be based upon the grade level and school district  
1090 in which the student would have been enrolled as the total funds  
1091 per unweighted full-time equivalent in the Florida Education  
1092 Finance Program for a student in the basic exceptional student  
1093 education program pursuant to s. 1011.62(1)(c) and (d), plus a  
1094 per full-time equivalent share of funds for the categorical  
1095 programs established in s. 1011.62(5), (7)(a), (8), and (16), as  
1096 funded in the General Appropriations Act. For the categorical  
1097 program established in s. 1011.62(8), the funds must be  
1098 allocated based on the school district's average exceptional  
1099 student education guaranteed allocation funds per exceptional  
1100 student education full-time equivalent student.

1101 3. For a student with a Level IV or Level V matrix of  
1102 services, the calculated scholarship amount must be based upon

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1103 the school district to which the student would have been  
1104 assigned as the total funds per full-time equivalent for the  
1105 Level IV or Level V exceptional student education program  
1106 pursuant to s. 1011.62(1)(c)2.a. or b., plus a per-full time  
1107 equivalent share of funds for the categorical programs  
1108 established in s. 1011.62(5), (7)(a), and (16), as funded in the  
1109 General Appropriations Act.

1110 4. For a student who received a Gardiner Scholarship  
1111 pursuant to former s. 1002.385 in the 2020-2021 school year, the  
1112 amount shall be the greater of the amount calculated pursuant to  
1113 subparagraph 2. or the amount the student received for the 2020-  
1114 2021 school year.

1115 5. For a student who received a John M. McKay Scholarship  
1116 pursuant to former s. 1002.39 in the 2020-2021 school year, the  
1117 amount shall be the greater of the amount calculated pursuant to  
1118 subparagraph 2. or the amount the student received for the 2020-  
1119 2021 school year.

1120 6. The organization must ~~provide the department with the~~  
1121 ~~documentation necessary to~~ verify the student's eligibility to  
1122 participate in the scholarship program at least 30 days before  
1123 each payment participation.

1124 7.a. For renewing scholarship students, upon receiving the  
1125 verified list of eligible scholarship students, the department  
1126 shall release, from state funds only, the amount calculated  
1127 pursuant to subparagraph 1. to the organization for deposit into  
1128 the student's account in quarterly payments no later than August  
1129 1, November 1, February 1, and April 1 of each school year in  
1130 which the scholarship is in force.

1131 b. For new scholarship students, upon receiving the

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1132 verified list of eligible scholarship students ~~documentation,~~  
1133 the department shall release, from state funds only, the amount  
1134 calculated pursuant to subparagraph 1. student's scholarship  
1135 ~~funds~~ to the organization for deposit, ~~to be deposited~~ into the  
1136 student's account in quarterly payments ~~four equal amounts~~ no  
1137 later than September 1, November 1, February 1, and April 1 of  
1138 each school year in which the scholarship is in force.

1139 8. If a scholarship student is attending an eligible  
1140 private school full time, the initial payment shall be made  
1141 after the organization's verification of admission acceptance,  
1142 and subsequent payments shall be made upon verification of  
1143 continued enrollment and attendance at the eligible private  
1144 school. Payments for tuition and fees for full-time enrollment  
1145 shall be made within 7 business days after approval by the  
1146 parent pursuant to paragraph (10) (b) and the private school  
1147 pursuant to paragraph (9) (b).

1148 ~~9.8.~~ Accrued interest in the student's account is in  
1149 addition to, and not part of, the awarded funds. Program funds  
1150 include both the awarded funds and accrued interest.

1151 ~~10.9.~~ The organization may develop a system for payment of  
1152 benefits by funds transfer, including, but not limited to, debit  
1153 cards, electronic payment cards, or any other means of payment  
1154 which the department deems to be commercially viable or cost-  
1155 effective. A student's scholarship award may not be reduced for  
1156 debit card or electronic payment fees. Commodities or services  
1157 related to the development of such a system must be procured by  
1158 competitive solicitation unless they are purchased from a state  
1159 term contract pursuant to s. 287.056.

1160 ~~11.10.~~ An organization may not transfer any funds to an



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1161 account of a student determined to be eligible pursuant to  
1162 paragraph (3)(b) which has a balance in excess of \$50,000.

1163 ~~12.11.~~ Moneys received pursuant to this section do not  
1164 constitute taxable income to the qualified student or the parent  
1165 of the qualified student.

1166 (c) An organization may not submit a new scholarship  
1167 student for funding after February 1.

1168 (d) Within 30 days after the release of state funds  
1169 pursuant to paragraphs (a) and (b), the eligible scholarship-  
1170 funding organization shall certify to the department the amount  
1171 of funds distributed for student scholarships. If the amount of  
1172 funds released by the department is more than the amount  
1173 distributed by the organization, the department is authorized to  
1174 adjust the amount of the overpayment in the subsequent quarterly  
1175 payment release.

1176 (16) TRANSITION-TO-WORK PROGRAM.—A student with a  
1177 disability who is determined eligible pursuant to paragraph  
1178 (3)(b) who is at least 17 years, but not older than 22 years of  
1179 age and who has not received a high school diploma or  
1180 certificate of completion is eligible for enrollment in his or  
1181 her participating private school's transition-to-work program. A  
1182 transition-to-work program shall consist of academic  
1183 instruction, work skills training, and a volunteer or paid work  
1184 experience.

1185 (a) To offer a transition-to-work program, a participating  
1186 private school must:

1187 1. Develop a transition-to-work program plan, which must  
1188 include a written description of the academic instruction and  
1189 work skills training students will receive and the goals for

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1190 students in the program.

1191 2. Submit the transition-to-work program plan to the Office  
1192 of Independent Education and Parental Choice and consider any  
1193 guidance provided by the department pursuant to paragraph (8) (d)  
1194 relating to the plan.

1195 3. Develop a personalized transition-to-work program plan  
1196 for each student enrolled in the program. The student's parent,  
1197 the student, and the school principal must sign the personalized  
1198 plan. The personalized plan must be submitted to the Office of  
1199 Independent Education and Parental Choice upon request by the  
1200 office.

1201 4. Provide a release of liability form that must be signed  
1202 by the student's parent, the student, and a representative of  
1203 the business offering the volunteer or paid work experience.

1204 5. Assign a case manager or job coach to visit the  
1205 student's job site on a weekly basis to observe the student and,  
1206 if necessary, provide support and guidance to the student.

1207 6. Provide to the parent and student a quarterly report  
1208 that documents and explains the student's progress and  
1209 performance in the program.

1210 7. Maintain accurate attendance and performance records for  
1211 the student.

1212 (b) A student enrolled in a transition-to-work program  
1213 must, at a minimum:

1214 1. Receive 15 instructional hours at the participating  
1215 private school's physical facility, which must include academic  
1216 instruction and work skills training.

1217 2. Participate in 10 hours of work at the student's  
1218 volunteer or paid work experience.

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1219 (c) To participate in a transition-to-work program, a  
1220 business must:

1221 1. Maintain an accurate record of the student's performance  
1222 and hours worked and provide the information to the  
1223 participating private school.

1224 2. Comply with all state and federal child labor laws.

1225 Section 4. Paragraph (c) of subsection (1), paragraphs (b)  
1226 and (f) of subsection (2), subsection (3), paragraphs (a) and  
1227 (c) of subsection (4), paragraphs (c) through (i) and (l), (p),  
1228 (q), (t), and (w) of subsection (6), subsections (7) and (8),  
1229 paragraphs (d), (e), (f), and (i) of subsection (9), paragraph  
1230 (b) of subsection (10), paragraphs (c), (f), and (h) of  
1231 subsection (11), and subsection (15) of section 1002.395,  
1232 Florida Statutes, are amended, paragraph (y) is added to  
1233 subsection (6), and paragraph (i) is added to subsection (11) of  
1234 that section, to read:

1235 1002.395 Florida Tax Credit Scholarship Program.—

1236 (1) FINDINGS AND PURPOSE.—

1237 (c) The purpose of this section is not to prescribe the  
1238 standards or curriculum for participating private schools. A  
1239 participating private school retains the authority to determine  
1240 its own standards and curriculum.

1241 (2) DEFINITIONS.—As used in this section, the term:

1242 (b) "Choice navigator" means an individual who meets the  
1243 requirements of sub-subparagraph (6) (d) 4.h. ~~(6) (d) 2.h.~~ and who  
1244 provides consultations, at a mutually agreed upon location, on  
1245 the selection of, application for, and enrollment in educational  
1246 options addressing the academic needs of a student; curriculum  
1247 selection; and advice on career and postsecondary education

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1248 opportunities. However, nothing in this section authorizes a  
1249 choice navigator to oversee or exercise control over the  
1250 curricula or academic programs of a personalized education  
1251 program.

1252 (f) "Eligible contribution" means a monetary contribution  
1253 from a taxpayer, subject to the restrictions provided in this  
1254 section, to an eligible nonprofit scholarship-funding  
1255 organization pursuant to this section and ss. 212.099, 212.1831,  
1256 and 212.1832, ~~and 1002.40~~. The taxpayer making the contribution  
1257 may not designate a specific child as the beneficiary of the  
1258 contribution.

1259 (3) PROGRAM; INITIAL SCHOLARSHIP ELIGIBILITY.—

1260 (a) The Florida Tax Credit Scholarship Program is  
1261 established.

1262 (b)1. A student is eligible for a Florida tax credit  
1263 scholarship under this section if the student:

1264 a. Is a resident of this state or the dependent child of an  
1265 active duty member of the United States Armed Forces who has  
1266 received permanent change of station orders to this state or, at  
1267 the time of renewal, whose home of record or state of legal  
1268 residence is Florida; and

1269 b. Is eligible to enroll in kindergarten through grade 12  
1270 in a public school in this state or received a scholarship under  
1271 the Hope Scholarship Program in the 2023-2024 school year.

1272 2. Priority must be given in the following order:

1273 a. A student whose household income level does not exceed  
1274 185 percent of the federal poverty level or who is in foster  
1275 care or out-of-home care.

1276 b. A student whose household income level exceeds 185

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1277 percent of the federal poverty level, but does not exceed 400  
1278 percent of the federal poverty level.

1279 (4) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for  
1280 a scholarship while he or she is:

1281 (a) Enrolled full time in a public school, including, but  
1282 not limited to, the Florida School for the Deaf and the Blind,  
1283 the College-Preparatory Boarding Academy, the Florida School for  
1284 Competitive Academics, the Florida Virtual School, the Florida  
1285 Scholars Academy, a developmental research school authorized  
1286 under s. 1002.32, or a charter school authorized under this  
1287 chapter. For purposes of this paragraph, a 3- or 4-year-old  
1288 child who receives services funded through the Florida Education  
1289 Finance Program is considered a student enrolled full-time in a  
1290 public school;

1291 (c) Receiving any other educational scholarship pursuant to  
1292 this chapter. However, an eligible public school student  
1293 receiving a scholarship under s. 1002.411 may receive a  
1294 scholarship for transportation pursuant to subparagraph  
1295 (6) (d) 4.;

1296 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING  
1297 ORGANIZATIONS.—An eligible nonprofit scholarship-funding  
1298 organization:

1299 (c) Must not have an owner or operator, as defined in  
1300 subparagraph (2) (k) 1., who owns or operates an eligible private  
1301 school that is participating in the scholarship program.

1302 (d) 1. For the 2023-2024 school year, may fund no more than  
1303 20,000 scholarships for students who are enrolled pursuant to  
1304 paragraph (7) (b). The number of scholarships funded for such  
1305 students may increase by 40,000 in each subsequent school year.

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1306 This subparagraph is repealed July 1, 2027.

1307 2. Shall establish a process for parents who are in  
1308 compliance with paragraph (7)(a) to renew their students'  
1309 scholarships. Renewal applications for the 2025-2026 school year  
1310 and thereafter must provide for a renewal timeline beginning  
1311 February 1 of the prior school year and ending April 30 of the  
1312 prior school year. A student's renewal is contingent upon an  
1313 eligible private school providing confirmation of admission  
1314 pursuant to subsection (8). The process must require that  
1315 parents confirm that the scholarship is being renewed or  
1316 declined by May 31.

1317 3. Shall establish a process that allows a parent to apply  
1318 for a new scholarship. The process must be in a manner that  
1319 creates a written or electronic record of the application  
1320 request and the date of receipt of the application request. The  
1321 process must require that parents confirm that the scholarship  
1322 is being accepted or declined by a date set by the organization.

1323 4.2. Must establish and maintain separate scholarship  
1324 ~~empowerment~~ accounts from eligible contributions for each  
1325 eligible student. For each account, the organization must  
1326 maintain a record of accrued interest retained in the student's  
1327 account. The organization must verify that scholarship funds are  
1328 used for:

1329 a. Tuition and fees for full-time or part-time enrollment  
1330 in an eligible private school.

1331 b. Transportation to a Florida public school in which a  
1332 student is enrolled and that is different from the school to  
1333 which the student was assigned or to a lab school as defined in  
1334 s. 1002.32.

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1335 c. Instructional materials, including digital materials and  
1336 Internet resources. Equipment used as instructional materials  
1337 may only be purchased for subjects in language arts and reading,  
1338 mathematics, social studies, and science.

1339 d. Curriculum as defined in s. 1002.394(2).

1340 e. Tuition and fees associated with full-time or part-time  
1341 enrollment in a home education instructional program; an  
1342 eligible postsecondary educational institution or a program  
1343 offered by the postsecondary educational institution, unless the  
1344 program is subject to s. 1009.25 or reimbursed pursuant to s.  
1345 1009.30; an approved preapprenticeship program as defined in s.  
1346 446.021(5) which is not subject to s. 1009.25 and complies with  
1347 all applicable requirements of the Department of Education  
1348 pursuant to chapter 1005; a private tutoring program authorized  
1349 under s. 1002.43; a virtual program offered by a department-  
1350 approved private online provider that meets the provider  
1351 qualifications specified in s. 1002.45(2)(a); the Florida  
1352 Virtual School as a private paying student; or an approved  
1353 online course offered pursuant to s. 1003.499 or s. 1004.0961.

1354 f. Fees for nationally standardized, norm-referenced  
1355 achievement tests, Advanced Placement Examinations, industry  
1356 certification examinations, assessments related to postsecondary  
1357 education, or other assessments.

1358 g. Contracted services provided by a public school or  
1359 school district, including classes. A student who receives  
1360 contracted services under this sub-subparagraph is not  
1361 considered enrolled in a public school for eligibility purposes  
1362 as specified in subsection (11) but rather attending a public  
1363 school on a part-time basis as authorized under s. 1002.44.

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1364 h. Tuition and fees for part-time tutoring services or fees  
1365 for services provided by a choice navigator. Such services must  
1366 be provided by a person who holds a valid Florida educator's  
1367 certificate pursuant to s. 1012.56, a person who holds an  
1368 adjunct teaching certificate pursuant to s. 1012.57, a person  
1369 who has a bachelor's degree or a graduate degree in the subject  
1370 area in which instruction is given, a person who has  
1371 demonstrated a mastery of subject area knowledge pursuant to s.  
1372 1012.56(5), or a person certified by a nationally or  
1373 internationally recognized research-based training program as  
1374 approved by the Department of Education. As used in this  
1375 paragraph, the term "part-time tutoring services" does not  
1376 qualify as regular school attendance as defined in s.  
1377 1003.01(16)(e).

1378 (e) For students determined eligible pursuant to paragraph  
1379 (7)(b), must:

1380 1. Establish a process for parents who are in compliance  
1381 with subparagraph (7)(b)1. to apply for a new scholarship. New  
1382 scholarship applications for the 2025-2026 school year and  
1383 thereafter must provide for an application timeline beginning  
1384 February 1 of the prior school year and ending April 30 of the  
1385 prior school year. The process must require that parents confirm  
1386 that the scholarship is being accepted or declined by May 31.

1387 2. Establish a process for parents who are in compliance  
1388 with paragraph (7)(b) to renew their students' scholarships.  
1389 Renewal scholarship applications for the 2025-2026 school year  
1390 and thereafter must provide for a renewal timeline beginning  
1391 February 1 of the prior school year and ending April 30 of the  
1392 prior school year. The process must require that parents confirm



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1393 that the scholarship is being renewed or declined by May 31.

1394 ~~3.1.~~ Maintain a signed agreement from the parent which  
1395 constitutes compliance with the attendance requirements under  
1396 ss. 1003.01(16) and 1003.21(1).

1397 ~~4.2.~~ Receive eligible student test scores and, beginning  
1398 with the 2027-2028 school year, by August 15, annually report  
1399 test scores for students pursuant to paragraph (7)(b) to a state  
1400 university pursuant to paragraph (9)(f).

1401 ~~5.3.~~ Provide parents with information, guidance, and  
1402 support to create and annually update a student learning plan  
1403 for their student. The organization must maintain the plan and  
1404 allow parents to electronically submit, access, and revise the  
1405 plan continuously.

1406 ~~6.4.~~ Upon submission by the parent of an annual student  
1407 learning plan, fund a scholarship for a student determined  
1408 eligible.

1409 (f) Must give first priority to eligible renewal students  
1410 who received a scholarship from an eligible nonprofit  
1411 scholarship-funding organization ~~or from the State of Florida~~  
1412 during the previous school year. The eligible nonprofit  
1413 scholarship-funding organization must fully apply and exhaust  
1414 all funds available under this section ~~and s. 1002.40(11)(i)~~ for  
1415 renewal scholarship awards before awarding any initial  
1416 scholarships.

1417 (g) Must provide a new ~~renewal or initial~~ scholarship to an  
1418 eligible student on a first-come, first-served basis unless the  
1419 student is seeking priority eligibility ~~qualifies for priority~~  
1420 pursuant to subsection (3) ~~paragraph (f)~~.

1421 (h) ~~Each eligible nonprofit scholarship funding~~

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1422 ~~organization~~ Must refer any student eligible for a scholarship  
1423 pursuant to this section who did not receive a renewal or  
1424 initial scholarship based solely on the lack of available funds  
1425 under this section ~~and s. 1002.40(11)(i)~~ to another eligible  
1426 nonprofit scholarship-funding organization that may have funds  
1427 available.

1428 (i) May not restrict or reserve scholarships for use at a  
1429 particular eligible private school or provide scholarships to a  
1430 child of an owner or operator as defined in subparagraph  
1431 (2)(k)1.

1432 (1)1. May use eligible contributions received pursuant to  
1433 this section and ss. 212.099, 212.1831, and 212.1832, ~~and~~  
1434 ~~1002.40~~ during the state fiscal year in which such contributions  
1435 are collected for administrative expenses if the organization  
1436 has operated as an eligible nonprofit scholarship-funding  
1437 organization for at least the preceding 3 fiscal years and did  
1438 not have any findings of material weakness or material  
1439 noncompliance in its most recent audit under paragraph (o) or is  
1440 in good standing in each state in which it administers a  
1441 scholarship program and the audited financial statements for the  
1442 preceding 3 fiscal years are free of material misstatements and  
1443 going concern issues. Administrative expenses from eligible  
1444 contributions may not exceed 3 percent of the total amount of  
1445 all scholarships funded by an eligible scholarship-funding  
1446 organization under this chapter. Such administrative expenses  
1447 must be reasonable and necessary for the organization's  
1448 management and distribution of scholarships funded under this  
1449 chapter. Administrative expenses may include developing or  
1450 contracting with rideshare programs or facilitating carpool

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1451 strategies for recipients of a transportation scholarship under  
1452 s. 1002.394. No funds authorized under this subparagraph shall  
1453 be used for lobbying or political activity or expenses related  
1454 to lobbying or political activity. Up to one-third of the funds  
1455 authorized for administrative expenses under this subparagraph  
1456 may be used for expenses related to the recruitment of  
1457 contributions from taxpayers. An eligible nonprofit scholarship-  
1458 funding organization may not charge an application fee.

1459 2. Must expend for annual or partial-year scholarships 100  
1460 percent of any eligible contributions from the prior fiscal  
1461 year.

1462 3.2. Must expend ~~award~~ for annual or partial-year  
1463 scholarships an amount equal to or greater than 75 percent of  
1464 all ~~estimated~~ net eligible contributions, as defined in  
1465 subsection (2), ~~and all funds carried forward from the prior~~  
1466 ~~state fiscal year~~ remaining after administrative expenses during  
1467 the state fiscal year in which such eligible contributions are  
1468 collected ~~before funding any scholarships to students determined~~  
1469 ~~eligible pursuant to s. 1002.394(3)(a)~~. No more than 25 percent  
1470 of such net eligible contributions may be carried forward to the  
1471 following state fiscal year. All amounts carried forward, for  
1472 audit purposes, must be specifically identified for particular  
1473 students, by student name and the name of the school to which  
1474 the student is admitted, subject to the requirements of ss.  
1475 1002.22 and 1002.221 and 20 U.S.C. s. 1232g, and the applicable  
1476 rules and regulations issued pursuant thereto. Any amounts  
1477 carried forward shall be expended for annual or partial-year  
1478 scholarships in the following state fiscal year. ~~No later than~~  
1479 ~~September 30 of each year, net~~ Eligible contributions remaining

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1480 on June 30 of each year that are in excess of the 25 percent  
1481 that may be carried forward shall be used to provide  
1482 scholarships to eligible students or transferred to other  
1483 eligible nonprofit scholarship-funding organizations to provide  
1484 scholarships for eligible students. All transferred funds must  
1485 be deposited by each eligible nonprofit scholarship-funding  
1486 organization receiving such funds into its scholarship account.  
1487 All transferred amounts received by any eligible nonprofit  
1488 scholarship-funding organization must be separately disclosed in  
1489 the annual financial audit required under paragraph (o).

1490 ~~4.3.~~ Must, before granting a scholarship for an academic  
1491 year, document each scholarship student's eligibility for that  
1492 academic year. A scholarship-funding organization may not grant  
1493 multiyear scholarships in one approval process.

1494 (p) Must prepare and submit quarterly reports to the  
1495 Department of Education pursuant to paragraph (9)(i). In  
1496 addition, an eligible nonprofit scholarship-funding organization  
1497 must submit in a timely manner the verified list of eligible  
1498 scholarship students and any information requested by the  
1499 Department of Education relating to the scholarship program.

1500 (q)1.a. Must participate in the joint development of  
1501 agreed-upon procedures during the 2009-2010 state fiscal year.  
1502 The agreed-upon procedures must uniformly apply to all private  
1503 schools and must determine, at a minimum, whether the private  
1504 school has been verified as eligible by the Department of  
1505 Education under s. 1002.421; has an adequate accounting system,  
1506 system of financial controls, and process for deposit and  
1507 classification of scholarship funds; and has properly expended  
1508 scholarship funds for education-related expenses. During the

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1509 development of the procedures, the participating scholarship-  
1510 funding organizations shall specify guidelines governing the  
1511 materiality of exceptions that may be found during the  
1512 accountant's performance of the procedures. The procedures and  
1513 guidelines shall be provided to private schools and the  
1514 Commissioner of Education by March 15, 2011.

1515 b. Must participate in a joint review of the agreed-upon  
1516 procedures and guidelines developed under sub-subparagraph a.,  
1517 by February of each biennium, if the scholarship-funding  
1518 organization provided more than \$250,000 in scholarship funds  
1519 under this chapter during the state fiscal year preceding the  
1520 biennial review. If the procedures and guidelines are revised,  
1521 the revisions must be provided to private schools and the  
1522 Commissioner of Education by March 15 of the year in which the  
1523 revisions were completed. The revised agreed-upon procedures and  
1524 guidelines shall take effect the subsequent school year.

1525 c. Must monitor the compliance of a participating private  
1526 school with s. 1002.421(1)(q) if the scholarship-funding  
1527 organization provided the majority of the scholarship funding to  
1528 the school. For each participating private school subject to s.  
1529 1002.421(1)(q), the appropriate scholarship-funding organization  
1530 shall annually notify the Commissioner of Education by October  
1531 30 of:

1532 (I) A private school's failure to submit a report required  
1533 under s. 1002.421(1)(q); or

1534 (II) Any material exceptions set forth in the report  
1535 required under s. 1002.421(1)(q).

1536 2. Must seek input from the accrediting associations that  
1537 are members of the Florida Association of Academic Nonpublic

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1538 Schools and the Department of Education when jointly developing  
1539 the agreed-upon procedures and guidelines under sub-subparagraph  
1540 1.a. and conducting a review of those procedures and guidelines  
1541 under sub-subparagraph 1.b.

1542 (t) Must participate in the joint development of agreed-  
1543 upon purchasing guidelines for authorized uses of scholarship  
1544 funds under paragraph (d) and s. 1002.394(4) (a) this chapter. By  
1545 December 31, 2023, and by each December 31 thereafter, the  
1546 purchasing guidelines must be provided to the Commissioner of  
1547 Education and published on the eligible nonprofit scholarship-  
1548 funding organization's website. Published purchasing guidelines  
1549 shall remain in effect until there is unanimous agreement to  
1550 revise the guidelines, and the revisions must be provided to the  
1551 commissioner and published on the organization's website within  
1552 30 days after such revisions. The organization shall assist the  
1553 Florida Center for Students with Unique Abilities under s.  
1554 1004.6495 with the development of purchasing guidelines for  
1555 authorized uses of scholarship funds under s. 1002.394(4) (b) and  
1556 publish the guidelines on the organization's website.

1557 (w) Shall commit scholarship funds on behalf of the student  
1558 for tuition and fees for which the parent is responsible for  
1559 payment at the participating private school before using  
1560 scholarship empowerment account funds for additional authorized  
1561 uses under paragraph (d).

1562 (y) Must establish a process to collect input and feedback  
1563 from parents, private schools, and providers before implementing  
1564 substantial modifications or enhancements to the reimbursement  
1565 process.

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1567 Information and documentation provided to the Department of  
1568 Education and the Auditor General relating to the identity of a  
1569 taxpayer that provides an eligible contribution under this  
1570 section shall remain confidential at all times in accordance  
1571 with s. 213.053.

1572 (7) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM  
1573 PARTICIPATION.—

1574 (a) A parent who applies for a scholarship whose student  
1575 will be enrolled full time in an eligible a private school must:

1576 1. Select an eligible private school and apply for the  
1577 admission of his or her child.

1578 2. Request the scholarship by the date established by the  
1579 organization in a manner that creates a written or electronic  
1580 record of the request and the date of receipt of the request.

1581 3.a. Beginning with new applications for the 2025-2026  
1582 school year and thereafter, notify the organization by a date  
1583 set by the organization that the scholarship is being accepted  
1584 or declined.

1585 b. Beginning with renewal applications for the 2025-2026  
1586 school year and thereafter, notify the organization by May 31  
1587 that the scholarship is being renewed or declined.

1588 ~~4.2.~~ Inform the applicable ~~child's~~ school district when the  
1589 parent withdraws his or her student from a public school ~~child~~  
1590 to attend an eligible private school.

1591 ~~5.3.~~ Require his or her student participating in the  
1592 program to remain in attendance at the eligible private school  
1593 throughout the school year unless excused by the school for  
1594 illness or other good cause and comply with the private school's  
1595 published policies.

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1596       ~~6.4.~~ Meet with the eligible private school's principal or  
1597 the principal's designee to review the school's academic  
1598 programs and policies, specialized services, code of student  
1599 conduct, and attendance policies before enrollment ~~in the~~  
1600 ~~private school.~~

1601       ~~7.5.~~ Require his or her student participating in the  
1602 program to take the norm-referenced assessment offered by the  
1603 participating private school. The parent may also choose to have  
1604 the student participate in the statewide assessments pursuant to  
1605 s. 1008.22. If the parent requests that the student  
1606 participating in the ~~scholarship~~ program take statewide  
1607 assessments pursuant to s. 1008.22 and the participating private  
1608 school has not chosen to offer and administer the statewide  
1609 assessments, the parent is responsible for transporting the  
1610 student to the assessment site designated by the school  
1611 district.

1612       ~~8.6.~~ Approve each payment before the scholarship funds may  
1613 be deposited by funds transfer. The parent may not designate any  
1614 entity or individual associated with the participating private  
1615 school as the parent's attorney in fact to approve a funds  
1616 transfer. A participant who fails to comply with this paragraph  
1617 forfeits the scholarship.

1618       ~~9.7.~~ Authorize the nonprofit scholarship-funding  
1619 organization to access information needed for income eligibility  
1620 determination and verification held by other state or federal  
1621 agencies, including the Department of Revenue, the Department of  
1622 Children and Families, the Department of Education, the  
1623 Department of Commerce ~~Economic Opportunity~~, and the Agency for  
1624 Health Care Administration, for students seeking priority



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1625 eligibility.

1626 ~~10.8.~~ Agree to have the organization commit scholarship  
1627 funds on behalf of his or her student for tuition and fees for  
1628 which the parent is responsible for payment at the participating  
1629 private school before using scholarship empowerment account  
1630 funds for additional authorized uses under paragraph (6) (d). A  
1631 parent is responsible for all eligible expenses in excess of the  
1632 amount of the scholarship.

1633 11. Comply with the scholarship application and renewal  
1634 processes and requirements established by the organization.

1635 (b) A parent whose student will not be enrolled full time  
1636 in a public or private school must:

1637 1. Apply to an eligible nonprofit scholarship-funding  
1638 organization to participate in the program as a personalized  
1639 education student by a date set by the organization. The request  
1640 must be communicated directly to the organization in a manner  
1641 that creates a written or electronic record of the request and  
1642 the date of receipt of the request. Beginning with new and  
1643 renewal applications for the 2025-2026 school year and  
1644 thereafter, notify the organization by May 31 that the  
1645 scholarship is being accepted, renewed, or declined.

1646 2. Sign an agreement with the organization and annually  
1647 submit a sworn compliance statement to the organization to  
1648 satisfy or maintain program eligibility, including eligibility  
1649 to receive and spend program payments, by:

1650 a. Affirming that the program funds are used only for  
1651 authorized purposes serving the student's educational needs, as  
1652 described in paragraph (6) (d), and that they will not receive a  
1653 payment, refund, or rebate of any funds provided under this

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1654 section.

1655 b. Affirming that the parent is responsible for all  
1656 eligible expenses in excess of the amount of the scholarship and  
1657 for the education of his or her student.

1658 c. Submitting a student learning plan to the organization  
1659 and revising the plan at least annually before program renewal.

1660 d. Requiring his or her student to take a nationally norm-  
1661 referenced test identified by the Department of Education, or a  
1662 statewide assessment under s. 1008.22, and provide assessment  
1663 results to the organization before the student's program  
1664 renewal.

1665 e. Complying with the scholarship application and renewal  
1666 processes and requirements established by the organization  
1667 ~~Renewing participation in the program each year.~~ A student whose  
1668 participation in the program is not renewed may continue to  
1669 spend scholarship funds that are in his or her account from  
1670 prior years unless the account must be closed pursuant to s.  
1671 1002.394(5)(a)2.

1672 f. Procuring the services necessary to educate the student.  
1673 When the student receives a scholarship, the district school  
1674 board is not obligated to provide the student with a free  
1675 appropriate public education.

1676 (c) A parent may not apply for multiple scholarships under  
1677 this section and s. 1002.394 for an individual student at the  
1678 same time.

1679  
1680 An eligible nonprofit scholarship-funding organization may not  
1681 further regulate, exercise control over, or require  
1682 documentation beyond the requirements of this subsection unless

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1683 the regulation, control, or documentation is necessary for  
1684 participation in the program.

1685 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible  
1686 private school may be sectarian or nonsectarian and must:

1687 (a) Comply with all requirements for private schools  
1688 participating in state school choice scholarship programs  
1689 pursuant to s. 1002.421.

1690 (b) Provide to the organization all documentation required  
1691 for a student's participation, including confirmation of the  
1692 student's admission to the private school, the private school's  
1693 and student's fee schedules, and any other information required  
1694 by the organization to process scholarship payment pursuant to  
1695 paragraph (11)(c). Such information must be provided by the  
1696 deadlines established by the organization and in accordance with  
1697 the requirements of this section. A student is not eligible to  
1698 receive a quarterly scholarship payment if the private school  
1699 fails to meet the deadline.

1700 (c) ~~(b)~~1. Annually administer or make provision for students  
1701 participating in the scholarship program in grades 3 through 10  
1702 to take one of the nationally norm-referenced tests identified  
1703 by the department of Education or the statewide assessments  
1704 pursuant to s. 1008.22. Students with disabilities for whom  
1705 standardized testing is not appropriate are exempt from this  
1706 requirement. A participating private school must report a  
1707 student's scores to the parent. A participating private school  
1708 must annually report by August 15 the scores of all  
1709 participating students to a state university described in  
1710 paragraph (9)(f).

1711 2. Administer the statewide assessments pursuant to s.

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1712 1008.22 if a participating private school chooses to offer the  
1713 statewide assessments. A participating private school may choose  
1714 to offer and administer the statewide assessments to all  
1715 students who attend the participating private school in grades 3  
1716 through 10 and must submit a request in writing to the  
1717 Department of Education by March 1 of each year in order to  
1718 administer the statewide assessments in the subsequent school  
1719 year.

1720  
1721 If a participating private school fails to meet the requirements  
1722 of this subsection or s. 1002.421, the commissioner may  
1723 determine that the participating private school is ineligible to  
1724 participate in the scholarship program.

1725 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of  
1726 Education shall:

1727 (d) Notify eligible nonprofit scholarship-funding  
1728 organizations of the deadlines for submitting the verified list  
1729 of eligible scholarship students; cross-check the verified list  
1730 of participating scholarship students with the public school  
1731 enrollment lists to avoid duplication; and, when the Florida  
1732 Education Finance Program is recalculated, adjust the amount of  
1733 state funds allocated to school districts through the Florida  
1734 Education Finance Program based upon the results of the cross-  
1735 check.

1736 (e) Maintain and annually publish a list of nationally  
1737 norm-referenced tests identified for purposes of satisfying the  
1738 testing requirement in subparagraph (8)(c)1. ~~(8)(b)1.~~ The tests  
1739 must meet industry standards of quality in accordance with State  
1740 Board of Education rule.

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1741 (f) Issue a project grant award to a state university, to  
1742 which participating private schools and eligible nonprofit  
1743 scholarship-funding organizations must report the scores of  
1744 participating students on the nationally norm-referenced tests  
1745 or the statewide assessments administered in grades 3 through  
1746 10. The project term is 2 years, and the amount of the project  
1747 is up to \$250,000 per year. The project grant award must be  
1748 reissued in 2-year intervals in accordance with this paragraph.

1749 1. The state university must annually report to the  
1750 Department of Education on the student performance of  
1751 participating students and, beginning with the 2027-2028 school  
1752 year, on the performance of personalized education students:

1753 a. On a statewide basis. The report shall also include, to  
1754 the extent possible, a comparison of scholarship students'  
1755 performance to the statewide student performance of public  
1756 school students with socioeconomic backgrounds similar to those  
1757 of students participating in the scholarship program. To  
1758 minimize costs and reduce time required for the state  
1759 university's analysis and evaluation, the Department of  
1760 Education shall coordinate with the state university to provide  
1761 data to the state university in order to conduct analyses of  
1762 matched students from public school assessment data and  
1763 calculate control group student performance using an agreed-upon  
1764 methodology with the state university; and

1765 b. On an individual school basis for students enrolled full  
1766 time in a private school. The annual report must include student  
1767 performance for each participating private school in which  
1768 enrolled students in the private school participated in a  
1769 scholarship program under this section or s. 1002.394(12)(a) ~~or~~

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1770 ~~or s. 1002.40~~ in the prior school year. The report shall be  
1771 according to each participating private school, and for  
1772 participating students, in which there are at least 30  
1773 participating students who have scores for tests administered.  
1774 If the state university determines that the 30-participating-  
1775 student cell size may be reduced without disclosing personally  
1776 identifiable information, as described in 34 C.F.R. s. 99.12, of  
1777 a participating student, the state university may reduce the  
1778 participating-student cell size, but the cell size must not be  
1779 reduced to less than 10 participating students. The department  
1780 shall provide each participating private school's prior school  
1781 year's student enrollment information to the state university no  
1782 later than June 15 of each year, or as requested by the state  
1783 university.

1784 2. The sharing and reporting of student performance data  
1785 under this paragraph must be in accordance with requirements of  
1786 ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g, the Family  
1787 Educational Rights and Privacy Act, and the applicable rules and  
1788 regulations issued pursuant thereto, and shall be for the sole  
1789 purpose of creating the annual report required by subparagraph  
1790 1. All parties must preserve the confidentiality of such  
1791 information as required by law. The annual report must not  
1792 disaggregate data to a level that will identify individual  
1793 participating schools, except as required under sub-subparagraph  
1794 1.b., or disclose the academic level of individual students.

1795 3. The annual report required by subparagraph 1. shall be  
1796 published by the Department of Education on its website.

1797 (i) Require quarterly reports by an eligible nonprofit  
1798 scholarship-funding organization regarding the number of

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1799 students participating in the ~~scholarship~~ program;; the private  
1800 schools at which the students are enrolled; the number of  
1801 scholarship applications received, the number of applications  
1802 processed within 30 days after receipt, and the number of  
1803 incomplete applications received; data related to reimbursement  
1804 submissions, including the average number of days for a  
1805 reimbursement to be reviewed and the average number of days for  
1806 a reimbursement to be approved; any parent input and feedback  
1807 collected regarding the program;~~;~~ and any other information  
1808 deemed necessary by the Department of Education.

1809 (10) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.-

1810 (b) Upon the request of the Department of Education, a  
1811 school district shall coordinate with the department to provide  
1812 to a participating private school the statewide assessments  
1813 administered under s. 1008.22 and any related materials for  
1814 administering the assessments. A school district is responsible  
1815 for implementing test administrations at a participating private  
1816 school, including the:

1817 1. Provision of training for participating private school  
1818 staff on test security and assessment administration procedures;

1819 2. Distribution of testing materials to a participating  
1820 private school;

1821 3. Retrieval of testing materials from a participating  
1822 private school;

1823 4. Provision of the required format for a participating  
1824 private school to submit information to the district for test  
1825 administration and enrollment purposes; and

1826 5. Provision of any required assistance, monitoring, or  
1827 investigation at a participating private school.

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1828 (11) SCHOLARSHIP AMOUNT AND PAYMENT.—

1829 (c) If a scholarship student is attending an eligible  
1830 private school full time, the initial payment shall be made  
1831 after the organization's verification of admission acceptance,  
1832 and subsequent payments shall be made upon verification of  
1833 continued enrollment and attendance at the eligible private  
1834 school. Payments shall be made within 7 business days after  
1835 approval by the parent pursuant to paragraph (7) (a) and the  
1836 private school pursuant to paragraph (8) (b) ~~An eligible~~  
1837 ~~nonprofit scholarship-funding organization shall obtain~~  
1838 ~~verification from the private school of a student's continued~~  
1839 ~~attendance at the school for each period covered by a~~  
1840 ~~scholarship payment.~~

1841 (f) A scholarship awarded to an eligible student shall  
1842 remain in force until:

1843 1. The organization determines that the student is not  
1844 eligible for program renewal;

1845 2. The Commissioner of Education suspends or revokes  
1846 program participation or use of funds;

1847 3. The student's parent has forfeited participation in the  
1848 program for failure to comply with subsection (7);

1849 4. The student who uses the scholarship for full-time  
1850 tuition and fees at an eligible private school pursuant to  
1851 subparagraph (6) (d)2. enrolls full time in a public school.  
1852 However, if a student enters a Department of Juvenile Justice  
1853 detention center for a period of no more than 21 days, the  
1854 student is not considered to have returned to a public school on  
1855 a full-time basis for that purpose; or

1856 5. The student graduates from high school or attains 21



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1857 years of age, whichever occurs first.

1858 (h) A student's scholarship account must be closed and any  
1859 remaining funds shall revert to the state after:

1860 1. Denial or revocation of program eligibility by the  
1861 commissioner for fraud or abuse, including, but not limited to,  
1862 the student or student's parent accepting any payment, refund,  
1863 or rebate, in any manner, from a provider of any services  
1864 received pursuant to paragraph (6) (d); ~~or~~

1865 2. Two consecutive fiscal years in which an account has  
1866 been inactive; or

1867 3. The student remains unenrolled in an eligible private  
1868 school for 30 days while receiving a scholarship that requires  
1869 full-time enrollment.

1870 (i) Moneys received pursuant to this section do not  
1871 constitute taxable income to the qualified student or the parent  
1872 of the qualified student.

1873 (15) NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS;  
1874 APPLICATION.—In order to participate in the scholarship program  
1875 created under this section, a charitable organization that seeks  
1876 to be a nonprofit scholarship-funding organization must submit  
1877 an application for initial approval or renewal to the Office of  
1878 Independent Education and Parental Choice. ~~The office shall~~  
1879 ~~provide at least two application periods in which~~ Charitable  
1880 organizations may apply at any time to participate in the  
1881 program.

1882 (a) An application for initial approval must include:

1883 1. A copy of the organization's incorporation documents and  
1884 registration with the Division of Corporations of the Department  
1885 of State.

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- 1886           2. A copy of the organization's Internal Revenue Service  
1887 determination letter as a s. 501(c)(3) not-for-profit  
1888 organization.
- 1889           3. A description of the organization's financial plan that  
1890 demonstrates sufficient funds to operate throughout the school  
1891 year.
- 1892           4. A description of the geographic region that the  
1893 organization intends to serve and an analysis of the demand and  
1894 unmet need for eligible students in that area.
- 1895           5. The organization's organizational chart.
- 1896           6. A description of the criteria and methodology that the  
1897 organization will use to evaluate scholarship eligibility.
- 1898           7. A description of the application process, including  
1899 deadlines and any associated fees.
- 1900           8. A description of the deadlines for attendance  
1901 verification and scholarship payments.
- 1902           9. A copy of the organization's policies on conflict of  
1903 interest and whistleblowers.
- 1904           10. A copy of a surety bond or letter of credit to secure  
1905 the faithful performance of the obligations of the eligible  
1906 nonprofit scholarship-funding organization in accordance with  
1907 this section in an amount equal to 25 percent of the scholarship  
1908 funds anticipated for each school year or \$100,000, whichever is  
1909 greater. The surety bond or letter of credit must specify that  
1910 any claim against the bond or letter of credit may be made only  
1911 by an eligible nonprofit scholarship-funding organization to  
1912 provide scholarships to and on behalf of students who would have  
1913 had scholarships funded if it were not for the diversion of  
1914 funds giving rise to the claim against the bond or letter of

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1915 credit.

1916 (b) In addition to the information required by  
1917 subparagraphs (a)1.-9., an application for renewal must include:

1918 1. A surety bond or letter of credit to secure the faithful  
1919 performance of the obligations of the eligible nonprofit  
1920 scholarship-funding organization in accordance with this section  
1921 equal to the amount of undisbursed donations held by the  
1922 organization based on the annual report submitted pursuant to  
1923 paragraph (6) (o). The amount of the surety bond or letter of  
1924 credit must be at least \$100,000, but not more than \$25 million.  
1925 The surety bond or letter of credit must specify that any claim  
1926 against the bond or letter of credit may be made only by an  
1927 eligible nonprofit scholarship-funding organization to provide  
1928 scholarships to and on behalf of students who would have had  
1929 scholarships funded if it were not for the diversion of funds  
1930 giving rise to the claim against the bond or letter of credit.

1931 2. The organization's completed Internal Revenue Service  
1932 Form 990 submitted no later than November 30 of the year before  
1933 the school year that the organization intends to offer the  
1934 scholarships, notwithstanding the department's application  
1935 deadline.

1936 3. A copy of the statutorily required audit to the  
1937 Department of Education and Auditor General.

1938 4. An annual report that includes:

1939 a. The number of students who completed applications, by  
1940 county and by grade.

1941 b. The number of students who were approved for  
1942 scholarships, by county and by grade.

1943 c. The number of students who received funding for

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1944 scholarships within each funding category, by county and by  
1945 grade.

1946 d. The amount of funds received, the amount of funds  
1947 distributed in scholarships, and an accounting of remaining  
1948 funds and the obligation of those funds.

1949 e. A detailed accounting of how the organization spent the  
1950 administrative funds allowable under paragraph (6) (1).

1951 (c) In consultation with the Department of Revenue and the  
1952 Chief Financial Officer, the Office of Independent Education and  
1953 Parental Choice shall review the application. The Department of  
1954 Education shall notify the organization in writing of any  
1955 deficiencies within 30 days after receipt of the application and  
1956 allow the organization 30 days to correct any deficiencies.

1957 (d) Within 30 days after receipt of the finalized  
1958 application by the Office of Independent Education and Parental  
1959 Choice, the Commissioner of Education shall recommend approval  
1960 or disapproval of the application to the State Board of  
1961 Education. The State Board of Education shall consider the  
1962 application and recommendation at the next scheduled meeting,  
1963 adhering to appropriate meeting notice requirements. If the  
1964 State Board of Education disapproves the organization's  
1965 application, it shall provide the organization with a written  
1966 explanation of that determination. The State Board of  
1967 Education's action is not subject to chapter 120.

1968 (e) If the State Board of Education disapproves the renewal  
1969 of a nonprofit scholarship-funding organization, the  
1970 organization must notify the affected eligible students and  
1971 parents of the decision within 15 days after disapproval. An  
1972 eligible student affected by the disapproval of an

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1973 organization's participation remains eligible under this section  
1974 until the end of the school year in which the organization was  
1975 disapproved. The student must apply and be accepted by another  
1976 eligible nonprofit scholarship-funding organization for the  
1977 upcoming school year. The student shall be given priority in  
1978 accordance with paragraph (6)(g).

1979 (f) All remaining funds held by a nonprofit scholarship-  
1980 funding organization that is disapproved for participation must  
1981 be transferred to other eligible nonprofit scholarship-funding  
1982 organizations to provide scholarships for eligible students. All  
1983 transferred funds must be deposited by each eligible nonprofit  
1984 scholarship-funding organization receiving such funds into its  
1985 scholarship account. All transferred amounts received by any  
1986 eligible nonprofit scholarship-funding organization must be  
1987 separately disclosed in the annual financial audit required  
1988 under subsection (6).

1989 (g) A nonprofit scholarship-funding organization is a  
1990 renewing organization if it maintains continuous approval and  
1991 participation in the program. An organization that chooses not  
1992 to participate for 1 year or more or is disapproved to  
1993 participate for 1 year or more must submit an application for  
1994 initial approval in order to participate in the program again.

1995 (h) The State Board of Education shall adopt rules  
1996 providing guidelines for receiving, reviewing, and approving  
1997 applications for new and renewing nonprofit scholarship-funding  
1998 organizations. The rules must include a process for compiling  
1999 input and recommendations from the Chief Financial Officer, the  
2000 Department of Revenue, and the Department of Education. The  
2001 rules must also require that the nonprofit scholarship-funding

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2002 organization make a brief presentation to assist the State Board  
2003 of Education in its decision.

2004 (i) A state university; or an independent college or  
2005 university which is eligible to participate in the William L.  
2006 Boyd, IV, Effective Access to Student Education Grant Program,  
2007 located and chartered in this state, is not for profit, and is  
2008 accredited by the Commission on Colleges of the Southern  
2009 Association of Colleges and Schools, is exempt from the initial  
2010 or renewal application process, but must file a registration  
2011 notice with the Department of Education to be an eligible  
2012 nonprofit scholarship-funding organization. The State Board of  
2013 Education shall adopt rules that identify the procedure for  
2014 filing the registration notice with the department. The rules  
2015 must identify appropriate reporting requirements for fiscal,  
2016 programmatic, and performance accountability purposes consistent  
2017 with this section, but shall not exceed the requirements for  
2018 eligible nonprofit scholarship-funding organizations for  
2019 charitable organizations.

2020 Section 5. Section 1002.40, Florida Statutes, is amended to  
2021 read:

2022 1002.40 The Hope Scholarship Program.—

2023 (1) PURPOSE.—The Hope Scholarship Program is established to  
2024 provide the parent of a public school student who was subjected  
2025 to an incident listed in subsection (3) an opportunity to  
2026 transfer the student to another public school or to request a  
2027 scholarship for the student to enroll in and attend an eligible  
2028 private school.

2029 (2) DEFINITIONS.—As used in this section, the term:

2030 ~~(a) "Dealer" has the same meaning as provided in s. 212.06.~~

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2031       ~~(b) "Department" means the Department of Education.~~

2032       ~~(c) "Designated agent" has the same meaning as provided in~~

2033 ~~s. 212.06(10).~~

2034       ~~(d) "Eligible contribution" or "contribution" means a~~

2035 ~~monetary contribution from a person purchasing a motor vehicle,~~

2036 ~~subject to the restrictions provided in this section, to an~~

2037 ~~eligible nonprofit scholarship-funding organization. The person~~

2038 ~~making the contribution may not designate a specific student as~~

2039 ~~the beneficiary of the contribution.~~

2040       ~~(e) "Eligible nonprofit scholarship-funding organization"~~

2041 ~~or "organization" has the same meaning as provided in s.~~

2042 ~~1002.395(2).~~

2043       ~~(f) "Eligible private school" has the same meaning as~~

2044 ~~provided in s. 1002.395(2).~~

2045       ~~(g) "Motor vehicle" has the same meaning as provided in s.~~

2046 ~~320.01(1)(a), but does not include a heavy truck, truck tractor,~~

2047 ~~trailer, or motorcycle.~~

2048       (a)~~(h)~~ "Parent" means a resident of this state who is a

2049 parent, as defined in s. 1000.21, and whose student reported an

2050 incident in accordance with subsection (4) ~~(6)~~.

2051       (b)~~(i)~~ "Program" means the Hope Scholarship Program.

2052       (c)~~(j)~~ "School" means any educational program or activity

2053 conducted by a public K-12 educational institution, any school-

2054 related or school-sponsored program or activity, and riding on a

2055 school bus, as defined in s. 1006.25(1), including waiting at a

2056 school bus stop.

2057       ~~(k) "Unweighted FTE funding amount" means the statewide~~

2058 ~~average total funds per unweighted full-time equivalent funding~~

2059 ~~amount that is incorporated by reference in the General~~

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2060 ~~Appropriations Act, or by a subsequent special appropriations~~  
2061 ~~act, for the applicable state fiscal year.~~

2062 (3) PROGRAM ELIGIBILITY. ~~Beginning with the 2018-2019~~  
2063 ~~school year, contingent upon available funds, and on a first-~~  
2064 ~~come, first-served basis,~~ A student enrolled in a Florida public  
2065 school in kindergarten through grade 12 is eligible for the  
2066 educational options described in subsection (4) ~~a scholarship~~  
2067 ~~under this program~~ if the student reported an incident in  
2068 accordance with that ~~subsection (6)~~. For purposes of this  
2069 section, the term "incident" means battery; harassment; hazing;  
2070 bullying; kidnapping; physical attack; robbery; sexual offenses,  
2071 harassment, assault, or battery; threat or intimidation; or  
2072 fighting at school, as defined by the department in accordance  
2073 with s. 1006.09(6).

2074 (4) PROGRAM PROHIBITIONS. ~~Payment of a scholarship to a~~  
2075 ~~student enrolled in a private school may not be made if a~~  
2076 ~~student is:~~

2077 (a) ~~Enrolled in a public school, including, but not limited~~  
2078 ~~to, the Florida School for the Deaf and the Blind; the College-~~  
2079 ~~Preparatory Boarding Academy; a developmental research school~~  
2080 ~~authorized under s. 1002.32; or a charter school authorized~~  
2081 ~~under s. 1002.33, s. 1002.331, or s. 1002.332;~~

2082 (b) ~~Enrolled in a school operating for the purpose of~~  
2083 ~~providing educational services to youth in the Department of~~  
2084 ~~Juvenile Justice commitment programs;~~

2085 (c) ~~Participating in a virtual school, correspondence~~  
2086 ~~school, or distance learning program that receives state funding~~  
2087 ~~pursuant to the student's participation unless the participation~~  
2088 ~~is limited to no more than two courses per school year; or~~



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2089 ~~(d) Receiving any other educational scholarship pursuant to~~  
2090 ~~this chapter.~~

2091 ~~(5) TERM OF HOPE SCHOLARSHIP.—For purposes of continuity of~~  
2092 ~~educational choice, a Hope scholarship shall remain in force~~  
2093 ~~until the student returns to public school or graduates from~~  
2094 ~~high school, whichever occurs first. A scholarship student who~~  
2095 ~~enrolls in a public school or public school program is~~  
2096 ~~considered to have returned to a public school for the purpose~~  
2097 ~~of determining the end of the scholarship's term.~~

2098 ~~(4)(6) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.—~~

2099 ~~(a) Upon receipt of a report of an incident, the school~~  
2100 ~~principal, or his or her designee, shall provide a copy of the~~  
2101 ~~report to the parent and investigate the incident to determine~~  
2102 ~~if the incident must be reported as required by s. 1006.09(6).~~  
2103 ~~Within 24 hours after receipt of the report, the principal or~~  
2104 ~~his or her designee shall provide a copy of the report to the~~  
2105 ~~parent of the alleged offender and to the superintendent. Upon~~  
2106 ~~conclusion of the investigation or within 15 days after the~~  
2107 ~~incident was reported, whichever occurs first, the school~~  
2108 ~~district shall notify the parent of the program, and offer the~~  
2109 ~~parent an opportunity to enroll his or her student in another~~  
2110 ~~public school that has capacity, and notify the parent of their~~  
2111 ~~eligibility ~~or~~ to apply for request and receive a scholarship to~~  
2112 ~~attend an eligible private school under ss. 1002.394 and~~  
2113 ~~1002.395, subject to available funding. A parent who chooses to~~  
2114 ~~enroll his or her student in a public school located outside the~~  
2115 ~~district in which the student resides pursuant to s. 1002.31~~  
2116 ~~shall be eligible for a scholarship to transport the student as~~  
2117 ~~provided in paragraph (11)(b).~~

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2118 ~~(b) For each student participating in the program in an~~  
2119 ~~eligible private school who chooses to participate in the~~  
2120 ~~statewide assessments under s. 1008.22 or the Florida Alternate~~  
2121 ~~Assessment, the school district in which the student resides~~  
2122 ~~must notify the student and his or her parent about the~~  
2123 ~~locations and times to take all statewide assessments.~~

2124 ~~(7) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible~~  
2125 ~~private school may be sectarian or nonsectarian and shall:~~

2126 ~~(a) Comply with all requirements for private schools~~  
2127 ~~participating in state school choice scholarship programs~~  
2128 ~~pursuant to this section and s. 1002.421.~~

2129 ~~(b)1. Annually administer or make provision for students~~  
2130 ~~participating in the program in grades 3 through 10 to take one~~  
2131 ~~of the nationally norm-referenced tests identified by the~~  
2132 ~~department or the statewide assessments pursuant to s. 1008.22.~~  
2133 ~~Students with disabilities for whom standardized testing is not~~  
2134 ~~appropriate are exempt from this requirement. A participating~~  
2135 ~~private school shall report a student's scores to his or her~~  
2136 ~~parent.~~

2137 ~~2. Administer the statewide assessments pursuant to s.~~  
2138 ~~1008.22 if a private school chooses to offer the statewide~~  
2139 ~~assessments. A participating private school may choose to offer~~  
2140 ~~and administer the statewide assessments to all students who~~  
2141 ~~attend the private school in grades 3 through 10 and must submit~~  
2142 ~~a request in writing to the department by March 1 of each year~~  
2143 ~~in order to administer the statewide assessments in the~~  
2144 ~~subsequent school year.~~

2145  
2146 ~~If a private school fails to meet the requirements of this~~

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2147 subsection or s. 1002.421, the commissioner may determine that  
2148 the private school is ineligible to participate in the program.

2149 ~~(8) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department~~  
2150 ~~shall:~~

2151 ~~(a) Cross check the list of participating scholarship~~  
2152 ~~students with the public school enrollment lists to avoid~~  
2153 ~~duplication and, when the Florida Education Finance Program is~~  
2154 ~~recalculated, adjust the amount of state funds allocated to~~  
2155 ~~school districts through the Florida Education Finance Program~~  
2156 ~~based upon the results of the cross-check.~~

2157 ~~(b) Maintain a list of nationally norm-referenced tests~~  
2158 ~~identified for purposes of satisfying the testing requirement in~~  
2159 ~~paragraph (9)(f). The tests must meet industry standards of~~  
2160 ~~quality in accordance with State Board of Education rule.~~

2161 ~~(c) Require quarterly reports by an eligible nonprofit~~  
2162 ~~scholarship-funding organization regarding the number of~~  
2163 ~~students participating in the program, the private schools in~~  
2164 ~~which the students are enrolled, and other information deemed~~  
2165 ~~necessary by the department.~~

2166 ~~(d) Contract with an independent entity to provide an~~  
2167 ~~annual evaluation of the program by:~~

2168 ~~1. Reviewing the school bullying prevention education~~  
2169 ~~program, climate, and code of student conduct of each public~~  
2170 ~~school from which 10 or more students transferred to another~~  
2171 ~~public school or private school using the Hope scholarship to~~  
2172 ~~determine areas in the school or school district procedures~~  
2173 ~~involving reporting, investigating, and communicating a parent's~~  
2174 ~~and student's rights that are in need of improvement. At a~~  
2175 ~~minimum, the review must include:~~

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2176 ~~a. An assessment of the investigation time and quality of~~  
2177 ~~the response of the school and the school district.~~

2178 ~~b. An assessment of the effectiveness of communication~~  
2179 ~~procedures with the students involved in an incident, the~~  
2180 ~~students' parents, and the school and school district personnel.~~

2181 ~~e. An analysis of school incident and discipline data.~~

2182 ~~d. The challenges and obstacles relating to implementing~~  
2183 ~~recommendations from the review.~~

2184 ~~2. Reviewing the school bullying prevention education~~  
2185 ~~program, climate, and code of student conduct of each public~~  
2186 ~~school to which a student transferred if the student was from a~~  
2187 ~~school identified in subparagraph 1. in order to identify best~~  
2188 ~~practices and make recommendations to a public school at which~~  
2189 ~~the incidents occurred.~~

2190 ~~3. Reviewing the performance of participating students~~  
2191 ~~enrolled in a private school in which at least 51 percent of the~~  
2192 ~~total enrolled students in the prior school year participated in~~  
2193 ~~the program and in which there are at least 10 participating~~  
2194 ~~students who have scores for tests administered.~~

2195 ~~4. Surveying the parents of participating students to~~  
2196 ~~determine academic, safety, and school climate satisfaction and~~  
2197 ~~to identify any challenges to or obstacles in addressing the~~  
2198 ~~incident or relating to the use of the scholarship.~~

2199 ~~(9) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM~~  
2200 ~~PARTICIPATION. A parent who applies for a Hope scholarship is~~  
2201 ~~exercising his or her parental option to place his or her~~  
2202 ~~student in an eligible private school.~~

2203 ~~(a) The parent must select an eligible private school and~~  
2204 ~~apply for the admission of his or her student.~~

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2205 ~~(b) The parent must inform the student's school district~~  
2206 ~~when the parent withdraws his or her student to attend an~~  
2207 ~~eligible private school.~~

2208 ~~(c) Any student participating in the program must remain in~~  
2209 ~~attendance throughout the school year unless excused by the~~  
2210 ~~school for illness or other good cause.~~

2211 ~~(d) Each parent and each student has an obligation to the~~  
2212 ~~private school to comply with such school's published policies.~~

2213 ~~(e) Upon reasonable notice to the department and the school~~  
2214 ~~district, the parent may remove the student from the private~~  
2215 ~~school and place the student in a public school in accordance~~  
2216 ~~with this section.~~

2217 ~~(f) The parent must ensure that the student participating~~  
2218 ~~in the program takes the norm-referenced assessment offered by~~  
2219 ~~the private school. The parent may also choose to have the~~  
2220 ~~student participate in the statewide assessments pursuant to s.~~  
2221 ~~1008.22. If the parent requests that the student take the~~  
2222 ~~statewide assessments pursuant to s. 1008.22 and the private~~  
2223 ~~school has not chosen to offer and administer the statewide~~  
2224 ~~assessments, the parent is responsible for transporting the~~  
2225 ~~student to the assessment site designated by the school~~  
2226 ~~district.~~

2227 ~~(g) Upon receipt of a scholarship warrant, the parent to~~  
2228 ~~whom the warrant is made must restrictively endorse the warrant~~  
2229 ~~to the private school for deposit into the account of such~~  
2230 ~~school. If payment is made by funds transfer in accordance with~~  
2231 ~~paragraph (11)(d), the parent must approve each payment before~~  
2232 ~~the scholarship funds may be deposited. The parent may not~~  
2233 ~~designate any entity or individual associated with the~~

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2234 ~~participating private school as the parent's attorney in fact to~~  
2235 ~~endorse a scholarship warrant or approve a funds transfer. A~~  
2236 ~~parent who fails to comply with this paragraph forfeits the~~  
2237 ~~scholarship.~~

2238 ~~(10) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP FUNDING~~  
2239 ~~ORGANIZATIONS. An eligible nonprofit scholarship funding~~  
2240 ~~organization may establish scholarships for eligible students~~  
2241 ~~by:~~

2242 ~~(a) Receiving applications and determining student~~  
2243 ~~eligibility in accordance with the requirements of this section.~~

2244 ~~(b) Notifying parents of their receipt of a scholarship on~~  
2245 ~~a first-come, first-served basis, based upon available funds.~~

2246 ~~(c) Establishing a date by which the parent of a~~  
2247 ~~participating student must confirm continuing participation in~~  
2248 ~~the program.~~

2249 ~~(d) Awarding scholarship funds to eligible students, giving~~  
2250 ~~priority to renewing students from the previous year.~~

2251 ~~(e) Preparing and submitting quarterly reports to the~~  
2252 ~~department pursuant to paragraph (8) (c). In addition, an~~  
2253 ~~eligible nonprofit scholarship funding organization must submit~~  
2254 ~~in a timely manner any information requested by the department~~  
2255 ~~relating to the program.~~

2256 ~~(f) Notifying the department of any violation of this~~  
2257 ~~section.~~

2258 ~~(11) FUNDING AND PAYMENT.—~~

2259 ~~(a) For students initially eligible in the 2019-2020 school~~  
2260 ~~year or thereafter, the calculated amount for a student to~~  
2261 ~~attend an eligible private school shall be calculated in~~  
2262 ~~accordance with s. 1002.394(12) (a).~~

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2263 ~~(b) The maximum amount awarded to a student enrolled in a~~  
2264 ~~public school located outside of the district in which the~~  
2265 ~~student resides shall be \$750.~~

2266 ~~(c) When a student enters the program, the eligible~~  
2267 ~~nonprofit scholarship funding organization must receive all~~  
2268 ~~documentation required for the student's participation,~~  
2269 ~~including a copy of the report of the incident received pursuant~~  
2270 ~~to subsection (6) and the private school's and student's fee~~  
2271 ~~schedules. The initial payment shall be made after verification~~  
2272 ~~of admission acceptance, and subsequent payments shall be made~~  
2273 ~~upon verification of continued enrollment and attendance at the~~  
2274 ~~private school.~~

2275 ~~(d) Payment of the scholarship by the eligible nonprofit~~  
2276 ~~scholarship funding organization may be by individual warrant~~  
2277 ~~made payable to the student's parent or by funds transfer,~~  
2278 ~~including, but not limited to, debit cards, electronic payment~~  
2279 ~~cards, or any other means of payment that the department deems~~  
2280 ~~to be commercially viable or cost effective. If payment is made~~  
2281 ~~by warrant, the warrant must be delivered by the eligible~~  
2282 ~~nonprofit scholarship funding organization to the private school~~  
2283 ~~of the parent's choice, and the parent shall restrictively~~  
2284 ~~endorse the warrant to the private school. If payments are made~~  
2285 ~~by funds transfer, the parent must approve each payment before~~  
2286 ~~the scholarship funds may be deposited. The parent may not~~  
2287 ~~designate any entity or individual associated with the~~  
2288 ~~participating private school as the parent's attorney in fact to~~  
2289 ~~endorse a scholarship warrant or approve a funds transfer.~~

2290 ~~(e) An eligible nonprofit scholarship funding organization~~  
2291 ~~shall obtain verification from the private school of a student's~~

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2292 ~~continued attendance at the school for each period covered by a~~  
2293 ~~scholarship payment.~~

2294 ~~(f) Payment of the scholarship shall be made by the~~  
2295 ~~eligible nonprofit scholarship funding organization no less~~  
2296 ~~frequently than on a quarterly basis.~~

2297 ~~(g) An eligible nonprofit scholarship funding organization,~~  
2298 ~~subject to the limitations of s. 1002.395(6)(1)1., may use~~  
2299 ~~eligible contributions received during the state fiscal year in~~  
2300 ~~which such contributions are collected for administrative~~  
2301 ~~expenses.~~

2302 ~~(h) Moneys received pursuant to this section do not~~  
2303 ~~constitute taxable income to the qualified student or his or her~~  
2304 ~~parent.~~

2305 ~~(i) Notwithstanding s. 1002.395(6)(1)2., no more than 5~~  
2306 ~~percent of net eligible contributions may be carried forward to~~  
2307 ~~the following state fiscal year by an eligible scholarship-~~  
2308 ~~funding organization. For audit purposes, all amounts carried~~  
2309 ~~forward must be specifically identified for individual students~~  
2310 ~~by student name and by the name of the school to which the~~  
2311 ~~student is admitted, subject to the requirements of ss. 1002.21~~  
2312 ~~and 1002.22 and 20 U.S.C. s. 1232g, and the applicable rules and~~  
2313 ~~regulations issued pursuant to such requirements. Any amounts~~  
2314 ~~carried forward shall be expended for annual scholarships or~~  
2315 ~~partial-year scholarships in the following state fiscal year.~~  
2316 ~~Net eligible contributions remaining on June 30 of each year~~  
2317 ~~which are in excess of the 5 percent that may be carried forward~~  
2318 ~~shall be transferred to other eligible nonprofit scholarship-~~  
2319 ~~funding organizations participating in the Hope Scholarship~~  
2320 ~~Program to provide scholarships for eligible students. All~~



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2321 transferred funds must be deposited by each eligible nonprofit  
2322 scholarship funding organization receiving such funds into the  
2323 scholarship account of eligible students. All transferred  
2324 amounts received by an eligible nonprofit scholarship funding  
2325 organization must be separately disclosed in the annual  
2326 financial audit requirement under s. 1002.395(6)(o). If no other  
2327 eligible nonprofit scholarship funding organization participates  
2328 in the Hope Scholarship Program, net eligible contributions in  
2329 excess of the 5 percent may be used to fund scholarships for  
2330 students eligible under s. 1002.395 only after fully exhausting  
2331 all contributions made in support of scholarships under that  
2332 section in accordance with the priority established in s.  
2333 1002.395(6)(f) before awarding any initial scholarships.

2334 ~~(12) OBLIGATIONS OF THE AUDITOR GENERAL.~~

2335 (a) ~~The Auditor General shall conduct an annual operational~~  
2336 ~~audit of accounts and records of each organization that~~  
2337 ~~participates in the program. As part of this audit, the Auditor~~  
2338 ~~General shall verify, at a minimum, the total number of students~~  
2339 ~~served and transmit that information to the department. The~~  
2340 ~~Auditor General shall provide the commissioner with a copy of~~  
2341 ~~each annual operational audit performed pursuant to this~~  
2342 ~~paragraph within 10 days after the audit is finalized.~~

2343 (b) ~~The Auditor General shall notify the department of any~~  
2344 ~~organization that fails to comply with a request for~~  
2345 ~~information.~~

2346 ~~(13) SCHOLARSHIP FUNDING TAX CREDITS.~~

2347 (a) ~~A tax credit is available under s. 212.1832(1) for use~~  
2348 ~~by a person that makes an eligible contribution. Eligible~~  
2349 ~~contributions shall be used to fund scholarships under this~~

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2350 ~~section and may be used to fund scholarships under s. 1002.395.~~  
2351 ~~Each eligible contribution is limited to a single payment of~~  
2352 ~~\$105 per motor vehicle purchased at the time of purchase of a~~  
2353 ~~motor vehicle or a single payment of \$105 per motor vehicle~~  
2354 ~~purchased at the time of registration of a motor vehicle that~~  
2355 ~~was not purchased from a dealer, except that a contribution may~~  
2356 ~~not exceed the state tax imposed under chapter 212 that would~~  
2357 ~~otherwise be collected from the purchaser by a dealer,~~  
2358 ~~designated agent, or private tag agent. Payments of~~  
2359 ~~contributions shall be made to a dealer at the time of purchase~~  
2360 ~~of a motor vehicle or to a designated agent or private tag agent~~  
2361 ~~at the time of registration of a motor vehicle that was not~~  
2362 ~~purchased from a dealer. An eligible contribution shall be~~  
2363 ~~accompanied by a contribution election form provided by the~~  
2364 ~~Department of Revenue. The form shall include, at a minimum, the~~  
2365 ~~following brief description of the Hope Scholarship Program and~~  
2366 ~~the Florida Tax Credit Scholarship Program: "THE HOPE~~  
2367 ~~SCHOLARSHIP PROGRAM PROVIDES A PUBLIC SCHOOL STUDENT WHO WAS~~  
2368 ~~SUBJECTED TO AN INCIDENT OF VIOLENCE OR BULLYING AT SCHOOL THE~~  
2369 ~~OPPORTUNITY TO APPLY FOR A SCHOLARSHIP TO ATTEND AN ELIGIBLE~~  
2370 ~~PRIVATE SCHOOL RATHER THAN REMAIN IN AN UNSAFE SCHOOL~~  
2371 ~~ENVIRONMENT. THE FLORIDA TAX CREDIT SCHOLARSHIP PROGRAM PROVIDES~~  
2372 ~~A LOW-INCOME STUDENT THE OPPORTUNITY TO APPLY FOR A SCHOLARSHIP~~  
2373 ~~TO ATTEND AN ELIGIBLE PRIVATE SCHOOL." The form shall also~~  
2374 ~~include, at a minimum, a section allowing the consumer to~~  
2375 ~~designate, from all participating scholarship funding~~  
2376 ~~organizations, which organization will receive his or her~~  
2377 ~~donation. For purposes of this subsection, the term "purchase"~~  
2378 ~~does not include the lease or rental of a motor vehicle.~~

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2379 ~~(b) A dealer, designated agent, or private tag agent shall:~~

2380 ~~1. Provide the purchaser the contribution election form, as~~  
2381 ~~provided by the Department of Revenue, at the time of purchase~~  
2382 ~~of a motor vehicle or at the time of registration of a motor~~  
2383 ~~vehicle that was not purchased from a dealer.~~

2384 ~~2. Collect eligible contributions.~~

2385 ~~3. Using a form provided by the Department of Revenue,~~  
2386 ~~which shall include the dealer's or agent's federal employer~~  
2387 ~~identification number, remit to an organization no later than~~  
2388 ~~the date the return filed pursuant to s. 212.11 is due the total~~  
2389 ~~amount of contributions made to that organization and collected~~  
2390 ~~during the preceding reporting period. Using the same form, the~~  
2391 ~~dealer or agent shall also report this information to the~~  
2392 ~~Department of Revenue no later than the date the return filed~~  
2393 ~~pursuant to s. 212.11 is due.~~

2394 ~~4. Report to the Department of Revenue on each return filed~~  
2395 ~~pursuant to s. 212.11 the total amount of credits granted under~~  
2396 ~~s. 212.1832 for the preceding reporting period.~~

2397 ~~(c) An organization shall report to the Department of~~  
2398 ~~Revenue, on or before the 20th day of each month, the total~~  
2399 ~~amount of contributions received pursuant to paragraph (b) in~~  
2400 ~~the preceding calendar month on a form provided by the~~  
2401 ~~Department of Revenue. Such report shall include:~~

2402 ~~1. The federal employer identification number of each~~  
2403 ~~designated agent, private tag agent, or dealer who remitted~~  
2404 ~~contributions to the organization during that reporting period.~~

2405 ~~2. The amount of contributions received from each~~  
2406 ~~designated agent, private tag agent, or dealer during that~~  
2407 ~~reporting period.~~

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2408 ~~(d) A person who, with the intent to unlawfully deprive or~~  
2409 ~~defraud the program of its moneys or the use or benefit thereof,~~  
2410 ~~fails to remit a contribution collected under this section is~~  
2411 ~~guilty of theft, punishable as follows:~~

2412 ~~1. If the total amount stolen is less than \$300, the~~  
2413 ~~offense is a misdemeanor of the second degree, punishable as~~  
2414 ~~provided in s. 775.082 or s. 775.083. Upon a second conviction,~~  
2415 ~~the offender is guilty of a misdemeanor of the first degree,~~  
2416 ~~punishable as provided in s. 775.082 or s. 775.083. Upon a third~~  
2417 ~~or subsequent conviction, the offender is guilty of a felony of~~  
2418 ~~the third degree, punishable as provided in s. 775.082, s.~~  
2419 ~~775.083, or s. 775.084.~~

2420 ~~2. If the total amount stolen is \$300 or more, but less~~  
2421 ~~than \$20,000, the offense is a felony of the third degree,~~  
2422 ~~punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

2423 ~~3. If the total amount stolen is \$20,000 or more, but less~~  
2424 ~~than \$100,000, the offense is a felony of the second degree,~~  
2425 ~~punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

2426 ~~4. If the total amount stolen is \$100,000 or more, the~~  
2427 ~~offense is a felony of the first degree, punishable as provided~~  
2428 ~~in s. 775.082, s. 775.083, or s. 775.084.~~

2429 ~~(e) A person convicted of an offense under paragraph (d)~~  
2430 ~~shall be ordered by the sentencing judge to make restitution to~~  
2431 ~~the organization in the amount that was stolen from the program.~~

2432 ~~(f) Upon a finding that a dealer failed to remit a~~  
2433 ~~contribution under subparagraph (b)3. for which the dealer~~  
2434 ~~claimed a credit pursuant to s. 212.1832(2), the Department of~~  
2435 ~~Revenue shall notify the affected organizations of the dealer's~~  
2436 ~~name, address, federal employer identification number, and~~

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2437 ~~information related to differences between credits taken by the~~  
2438 ~~dealer pursuant to s. 212.1832(2) and amounts remitted to the~~  
2439 ~~eligible nonprofit scholarship funding organization under~~  
2440 ~~subparagraph (b)3.~~

2441 ~~(g) Any dealer, designated agent, private tag agent, or~~  
2442 ~~organization that fails to timely submit reports to the~~  
2443 ~~Department of Revenue as required in paragraphs (b) and (c) is~~  
2444 ~~subject to a penalty of \$1,000 for every month, or part thereof,~~  
2445 ~~the report is not provided, up to a maximum amount of \$10,000.~~  
2446 ~~Such penalty shall be collected by the Department of Revenue and~~  
2447 ~~shall be transferred into the General Revenue Fund. Such penalty~~  
2448 ~~must be settled or compromised if it is determined by the~~  
2449 ~~Department of Revenue that the noncompliance is due to~~  
2450 ~~reasonable cause and not due to willful negligence, willful~~  
2451 ~~neglect, or fraud.~~

2452 ~~(14) LIABILITY. The state is not liable for the award of or~~  
2453 ~~any use of awarded funds under this section.~~

2454 ~~(15) SCOPE OF AUTHORITY. This section does not expand the~~  
2455 ~~regulatory authority of this state, its officers, or any school~~  
2456 ~~district to impose additional regulation on participating~~  
2457 ~~private schools beyond those reasonably necessary to enforce~~  
2458 ~~requirements expressly set forth in this section.~~

2459 ~~(5) (16) RULES. The State Board of Education shall adopt~~  
2460 ~~rules to administer this section, except the Department of~~  
2461 ~~Revenue shall adopt rules to administer subsection (13).~~

2462 Section 6. Paragraph (i) of subsection (1) of section  
2463 1002.421, Florida Statutes, is amended to read:

2464 1002.421 State school choice scholarship program  
2465 accountability and oversight.-

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2466 (1) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—A private  
2467 school participating in an educational scholarship program  
2468 established pursuant to this chapter must be a private school as  
2469 defined in s. 1002.01 in this state, be registered, and be in  
2470 compliance with all requirements of this section in addition to  
2471 private school requirements outlined in s. 1002.42, specific  
2472 requirements identified within respective scholarship program  
2473 laws, and other provisions of Florida law that apply to private  
2474 schools, and must:

2475 (i) Maintain a physical location in the state at which each  
2476 student has regular and direct contact with teachers. Regular  
2477 and direct contact with teachers may be satisfied for students  
2478 enrolled in a personalized education program if students have  
2479 regular and direct contact with teachers at the physical  
2480 location at least two school days per week and the student  
2481 learning plan addresses the remaining instructional time.

2482  
2483 The department shall suspend the payment of funds to a private  
2484 school that knowingly fails to comply with this subsection, and  
2485 shall prohibit the school from enrolling new scholarship  
2486 students, for 1 fiscal year and until the school complies. If a  
2487 private school fails to meet the requirements of this subsection  
2488 or has consecutive years of material exceptions listed in the  
2489 report required under paragraph (q), the commissioner may  
2490 determine that the private school is ineligible to participate  
2491 in a scholarship program.

2492 Section 7. Paragraph (a) of subsection (2) of section  
2493 1002.45, Florida Statutes, is amended to read:

2494 1002.45 Virtual instruction programs.—

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2495 (2) PROVIDER QUALIFICATIONS.—

2496 (a) The department shall annually publish on its website a  
2497 list of providers approved by the State Board of Education to  
2498 offer virtual instruction programs. To be approved, a virtual  
2499 instruction program provider must document that it:

2500 ~~1. Is nonsectarian in its programs, admission policies,~~  
2501 ~~employment practices, and operations;~~

2502 1.2. Complies with the antidiscrimination provisions of s.  
2503 1000.05;

2504 2.3. Locates an administrative office or offices in this  
2505 state, requires its administrative staff to be state residents,  
2506 requires all instructional staff to be Florida-certified  
2507 teachers under chapter 1012 and conducts background screenings  
2508 for all employees or contracted personnel, as required by s.  
2509 1012.32, using state and national criminal history records;

2510 3.4. Electronically provides to parents and students  
2511 specific information that includes, but is not limited to, the  
2512 following teacher-parent and teacher-student contact information  
2513 for each course:

2514 a. How to contact the instructor via phone, e-mail, or  
2515 online messaging tools.

2516 b. How to contact technical support via phone, e-mail, or  
2517 online messaging tools.

2518 c. How to contact the administration office via phone, e-  
2519 mail, or online messaging tools.

2520 d. Any requirement for regular contact with the instructor  
2521 for the course and clear expectations for meeting the  
2522 requirement.

2523 e. The requirement that the instructor in each course must,

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2524 at a minimum, conduct one contact with the parent and the  
2525 student each month;

2526 ~~4.5.~~ Possesses prior, successful experience offering  
2527 virtual instruction courses to elementary, middle, or high  
2528 school students as demonstrated by quantified student learning  
2529 gains in each subject area and grade level provided for  
2530 consideration as an instructional program option. However, for a  
2531 virtual instruction program provider without sufficient prior,  
2532 successful experience offering online courses, the State Board  
2533 of Education may conditionally approve the virtual instruction  
2534 program provider to offer courses measured pursuant to  
2535 subparagraph (7) (a)2. Conditional approval shall be valid for 1  
2536 school year only and, based on the virtual instruction program  
2537 provider's experience in offering the courses, the State Board  
2538 of Education may grant approval to offer a virtual instruction  
2539 program;

2540 ~~5.6.~~ Is accredited by a regional accrediting association as  
2541 defined by State Board of Education rule;

2542 ~~6.7.~~ Ensures instructional and curricular quality through a  
2543 detailed curriculum and student performance accountability plan  
2544 that addresses every subject and grade level it intends to  
2545 provide through contract with the school district, including:

2546 a. Courses and programs that meet the standards of the  
2547 International Association for K-12 Online Learning and the  
2548 Southern Regional Education Board.

2549 b. Instructional content and services that align with, and  
2550 measure student attainment of, student proficiency in the state  
2551 academic standards.

2552 c. Mechanisms that determine and ensure that a student has



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2553 satisfied requirements for grade level promotion and high school  
2554 graduation with a standard diploma, as appropriate;

2555 ~~7.8.~~ Publishes, in accordance with disclosure requirements  
2556 adopted in rule by the State Board of Education, as part of its  
2557 application as an approved virtual instruction program provider  
2558 and in all contracts negotiated pursuant to this section:

2559 a. Information and data about the curriculum of each full-  
2560 time and part-time virtual instruction program.

2561 b. School policies and procedures.

2562 c. Certification status and physical location of all  
2563 administrative and instructional personnel.

2564 d. Hours and times of availability of instructional  
2565 personnel.

2566 e. Student-teacher ratios.

2567 f. Student completion and promotion rates.

2568 g. Student, educator, and school performance accountability  
2569 outcomes;

2570 ~~8.9.~~ If the approved virtual instruction program provider  
2571 is a Florida College System institution, employs instructors who  
2572 meet the certification requirements for instructional staff  
2573 under chapter 1012; and

2574 ~~9.10.~~ Performs an annual financial audit of its accounts  
2575 and records conducted by an independent auditor who is a  
2576 certified public accountant licensed under chapter 473. The  
2577 independent auditor shall conduct the audit in accordance with  
2578 rules adopted by the Auditor General and in compliance with  
2579 generally accepted auditing standards, and include a report on  
2580 financial statements presented in accordance with generally  
2581 accepted accounting principles. The audit report shall be

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2582 accompanied by a written statement from the approved virtual  
2583 instruction program provider in response to any deficiencies  
2584 identified within the audit report and shall be submitted by the  
2585 approved virtual instruction program provider to the State Board  
2586 of Education and the Auditor General no later than 9 months  
2587 after the end of the preceding fiscal year.

2588 Section 8. Paragraph (c) of subsection (1) of section  
2589 1003.4156, Florida Statutes, is amended to read:

2590 1003.4156 General requirements for middle grades  
2591 promotion.—

2592 (1) In order for a student to be promoted to high school  
2593 from a school that includes middle grades 6, 7, and 8, the  
2594 student must successfully complete the following courses:

2595 (c) Three middle grades or higher courses in social  
2596 studies. One of these courses must be at least a one-semester  
2597 civics education course that includes the roles and  
2598 responsibilities of federal, state, and local governments; the  
2599 structures and functions of the legislative, executive, and  
2600 judicial branches of government; and the meaning and  
2601 significance of historic documents, such as the Articles of  
2602 Confederation, the Declaration of Independence, and the  
2603 Constitution of the United States. All instructional materials  
2604 for the civics education course must be reviewed and approved by  
2605 the Commissioner of Education, in consultation with  
2606 organizations that may include, but are not limited to, the  
2607 Florida Joint Center for Citizenship, the Bill of Rights  
2608 Institute, Hillsdale College, the Gilder Lehrman Institute of  
2609 American History, iCivics, and the Constitutional Sources  
2610 Project, and with educators, school administrators,

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2611 postsecondary education representatives, elected officials,  
2612 business and industry leaders, parents, and the public. Any  
2613 errors and inaccuracies the commissioner identifies in state-  
2614 adopted materials must be corrected pursuant to s. 1006.35.  
2615 After consulting with such entities and individuals, the  
2616 commissioner shall review the current state-approved civics  
2617 education course instructional materials and the test  
2618 specifications for the statewide, standardized EOC assessment in  
2619 civics education and shall make recommendations for improvements  
2620 to the materials and test specifications by December 31, 2019.  
2621 By December 31, 2020, the department shall complete a review of  
2622 the statewide civics education course standards. Each student's  
2623 performance on the statewide, standardized EOC assessment in  
2624 civics education required under s. 1008.22 constitutes 30  
2625 percent of the student's final course grade. A middle grades  
2626 student who transfers into the state's public school system from  
2627 out of country, out of state, a private school, a personalized  
2628 education program, or a home education program after the  
2629 beginning of the second term of grade 8 is not required to meet  
2630 the civics education requirement for promotion from the middle  
2631 grades if the student's transcript documents passage of three  
2632 courses in social studies or two year-long courses in social  
2633 studies that include coverage of civics education.

2634 Section 9. Subsection (6) of section 1003.4282, Florida  
2635 Statutes, is amended to read:

2636 1003.4282 Requirements for a standard high school diploma.—

2637 (6) UNIFORM TRANSFER OF HIGH SCHOOL CREDITS.—Beginning with  
2638 the 2012-2013 school year, if a student transfers to a Florida  
2639 public high school from out of country, out of state, a private

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2640 school, a personalized education program, or a home education  
2641 program and the student's transcript shows a credit in Algebra  
2642 I, the student must pass the statewide, standardized Algebra I  
2643 EOC assessment in order to earn a standard high school diploma  
2644 unless the student earned a comparative score, passed a  
2645 statewide assessment in Algebra I administered by the  
2646 transferring entity, or passed the statewide mathematics  
2647 assessment the transferring entity uses to satisfy the  
2648 requirements of the Elementary and Secondary Education Act, as  
2649 amended by the Every Student Succeeds Act (ESSA), 20 U.S.C. ss.  
2650 6301 et seq. If a student's transcript shows a credit in high  
2651 school reading or English Language Arts II or III, in order to  
2652 earn a standard high school diploma, the student must take and  
2653 pass the statewide, standardized grade 10 ELA assessment, or  
2654 earn a concordant score. If a transfer student's transcript  
2655 shows a final course grade and course credit in Algebra I,  
2656 Geometry, Biology I, or United States History, the transferring  
2657 course final grade and credit shall be honored without the  
2658 student taking the requisite statewide, standardized EOC  
2659 assessment and without the assessment results constituting 30  
2660 percent of the student's final course grade.

2661 Section 10. Paragraph (1) of subsection (4) of section  
2662 1003.485, Florida Statutes, is amended to read:

2663 1003.485 The New Worlds Reading Initiative.—

2664 (4) ADMINISTRATOR RESPONSIBILITIES.—The administrator  
2665 shall:

2666 (1) Expend eligible contributions received only for the  
2667 purchase and delivery of books and to implement the requirements  
2668 of this section, as well as for administrative expenses not to

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2669 exceed 2 percent of total eligible contributions.  
2670 Notwithstanding s. 1002.395(6)(1)3. ~~s. 1002.395(6)(1)2.~~, the  
2671 administrator may carry forward up to 25 percent of eligible  
2672 contributions made before January 1 of each state fiscal year  
2673 and 100 percent of eligible contributions made on or after  
2674 January 1 of each state fiscal year to the following state  
2675 fiscal year for purposes authorized by this subsection. Any  
2676 eligible contributions in excess of the allowable carry forward  
2677 not used to provide additional books throughout the year to  
2678 eligible students shall revert to the state treasury.

2679 Section 11. Effective upon this act becoming a law,  
2680 paragraph (e) is added to subsection (5) of section 1004.6495,  
2681 Florida Statutes, to read:

2682 1004.6495 Florida Postsecondary Comprehensive Transition  
2683 Program and Florida Center for Students with Unique Abilities.—

2684 (5) CENTER RESPONSIBILITIES.—The Florida Center for  
2685 Students with Unique Abilities is established within the  
2686 University of Central Florida. At a minimum, the center shall:

2687 (e) By July 1, 2024, develop the purchasing guidelines for  
2688 authorized uses of scholarship funds for the Family Empowerment  
2689 Scholarship Program under s. 1002.394(4)(b) and by each July 1  
2690 thereafter, revise such guidelines. The center must consult with  
2691 parents of a student with a disability participating in the  
2692 scholarship program in the development and revision of the  
2693 guidelines and must provide the guidelines to each eligible  
2694 nonprofit scholarship-funding organization that awards  
2695 scholarships to a student eligible for the scholarship program  
2696 under s. 1002.394(3)(b) for publishing on each organization's  
2697 website.

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2698           Section 12. Except as otherwise expressly provided in this  
2699 act and except for this section, which shall take effect upon  
2700 this act becoming a law, this act shall take effect July 1,  
2701 2024.