

1 A bill to be entitled
2 An act relating to education; amending s. 216.136,
3 F.S.; revising the official information the Education
4 Estimating Conference is required to forecast to
5 include specified student calculations; requiring
6 governmental agencies to provide the Office of
7 Economic and Demographic Research with specified data;
8 requiring nonprofit scholarship-funding organizations
9 to submit specified information to the conference;
10 requiring the conference's forecasted numbers of
11 certain students to be forwarded to and approved by
12 the school districts; requiring the conference's
13 forecasted scholarships to be made available to and
14 reviewed by nonprofit scholarship-funding
15 organizations; providing requirements for such
16 organizations; requiring the full conference to agree
17 to changes in official information of the conference;
18 amending s. 1002.394, F.S.; revising the purpose of
19 the Family Empowerment Scholarship Program; defining
20 the term "fraud"; prohibiting school districts from
21 reporting specified students for funding in the
22 Florida Education Finance Program; revising the
23 requirements for certain scholarships to no longer
24 remain in force and student ineligibility criteria;
25 providing that certain funding through the program

26 | constitutes funding under specified provisions of law;
27 | requiring school districts to provide verification of
28 | student disenrollment under certain circumstances;
29 | revising the information the Department of Education
30 | must publish and update relating to the program;
31 | requiring the department to assign a Florida student
32 | identification number to certain students; revising
33 | department, eligible nonprofit scholarship-funding
34 | organization, and parent responsibilities and duties
35 | relating to applying for a scholarship, verifying
36 | student eligibility, and funding and award
37 | disbursement; requiring the department to develop
38 | standard request forms for student withdrawal from
39 | public schools and the program and provide the forms
40 | to specified entities; revising requirements for
41 | calculation of funding and disbursement of funds for
42 | the program; revising requirements for the application
43 | process and continued participation in the program;
44 | authorizing the department to suspend or permanently
45 | revoke a student's participation in the program under
46 | certain circumstances; requiring the department to
47 | investigate possible fraud within the program;
48 | requiring the department to provide to the Legislature
49 | certain information; providing that noncompliance with
50 | specified requirements shall lead to a declined

51 scholarship; requiring parents to verify that students
52 are not attending a public school; requiring eligible
53 nonprofit scholarship-funding organizations to recover
54 specified funds and provide specified information to
55 the Auditor General; prohibiting eligible nonprofit
56 scholarship-funding organizations from awarding
57 scholarships under certain circumstances; prohibiting
58 the department from releasing program funds outside of
59 a specified schedule or releasing funds to students
60 who have not been assigned a Florida Student
61 identification number; amending s. 1002.395, F.S.;
62 revising department, eligible nonprofit scholarship-
63 funding organization, and parent responsibilities and
64 duties relating to applying for a scholarship,
65 verifying student eligibility, and funding and award
66 disbursement for the Florida Tax Credit Scholarship
67 Program; requiring a school district to provide
68 verification of student disenrollment under certain
69 circumstances; providing that noncompliance with
70 specified requirements shall lead to a declined
71 scholarship; prohibiting school districts from
72 reporting certain students for funding through the
73 Florida Education Finance Program; defining the terms
74 "obligate" and "disburse"; deleting a provision
75 including certain transportation expenses in program

76 administrative expenses; revising the requirements for
77 the cross-check of certain student attendance
78 information; requiring the department to assign a
79 Florida student identification number to certain
80 students; requiring the department to submit specified
81 reports to the Legislature within a specified
82 timeframe; requiring specified approvals and denials
83 of certain expenses to be consistent with specified
84 guidelines; requiring eligible nonprofit scholarship-
85 funding organizations to recover specified funds;
86 requiring eligible nonprofit scholarship-funding
87 organizations to use specified forms for certain
88 purposes; revising requirements for the disbursement
89 of program funds; amending s. 1002.421, F.S.;
90 prohibiting a private school from participating in
91 certain scholarship programs for failure to reimburse
92 an eligible nonprofit scholarship-funding organization
93 under certain circumstances; amending s. 1008.386,
94 F.S.; requiring the department to establish unique
95 Florida student identification numbers for students
96 participating in certain scholarship programs;
97 amending s. 1010.305, F.S.; requiring the Auditor
98 General to annually examine certain records of
99 specified eligible nonprofit scholarship-funding
100 organizations; authorizing specified actions to be

101 taken against such organizations under certain
102 circumstances; amending s. 1011.61, F.S.; revising
103 definitions; amending s. 1011.62, F.S.; revising
104 requirements for base funding through the Florida
105 Education Finance Program; providing requirements for
106 full-time equivalent membership surveys for the
107 program; revising specified additional full-time
108 equivalent student membership calculations within the
109 program; revising the calculation for the
110 determination of the base program; removing an
111 authorization for the State Board of Education to
112 adopt rules relating to credits for high school
113 graduation; revising the exceptional student education
114 guaranteed allocation to include specified additional
115 costs; requiring certain allocations within the
116 program to be recalculated pursuant to the membership
117 surveys; requiring a specified funding amount to be
118 used for new educational entities funded through the
119 program; revising the requirements for the total
120 allocation of state funds to each district; removing
121 the state-funded discretionary supplement and the
122 educational enrollment stabilization program from the
123 program; amending s. 1011.622, F.S.; providing that
124 certain provisions relating to program calculations
125 apply to specific students; amending s. 1011.65, F.S.;

126 removing requirements relating to the Florida
 127 Education Finance Program Appropriation Allocation
 128 Conference; requiring certain information to be
 129 provided to the Legislature and the Executive Office
 130 of the Governor for specified purposes; requiring the
 131 Legislature and the Executive Office of the Governor
 132 to provide a certain written notification before the
 133 release of specified funds through the program;
 134 creating s. 1011.695, F.S.; creating the state-funded
 135 discretionary supplement; providing requirements for
 136 the supplement; amending ss. 110.1228, 402.22,
 137 1002.32, 1002.33, 1002.37, 1002.45, 1003.4203,
 138 1003.485, 1003.4935, 1003.498, 1007.271, 1008.44,
 139 1010.20, 1011.68, and 1012.44, F.S.; conforming cross-
 140 references; providing an effective date.

141

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

143

144 **Section 1. Paragraph (a) of subsection (4) of section**
 145 **216.136, Florida Statutes, is amended to read:**

146 216.136 Consensus estimating conferences; duties and
 147 principals.—

148 (4) EDUCATION ESTIMATING CONFERENCE.—

149 (a)1. The Education Estimating Conference shall develop
 150 such official information relating to the state public and

151 private educational system, including forecasts of the number of
152 full-time equivalent students eligible for funding in the
153 Florida Education Finance Program, the number of scholarships
154 established in s. 1002.395 eligible for funding with tax credit
155 revenue ~~student enrollments~~, the national average of tuition and
156 fees at public postsecondary educational institutions, the
157 number of students qualified for state financial aid programs
158 and for the William L. Boyd, IV, Effective Access to Student
159 Education Grant Program and the appropriation required to fund
160 the full award amounts for each program, fixed capital outlay
161 needs, and any other estimates ~~Florida Education Finance Program~~
162 ~~formula needs~~, as the conference determines are ~~is~~ needed for
163 the state planning and budgeting system.

164 2. All governmental agencies shall provide the Office of
165 Economic and Demographic Research with all the necessary data to
166 accomplish the purposes of the conference. Further, the
167 nonprofit scholarship-funding organizations authorized pursuant
168 to s. 1002.395 shall submit all data requested by the
169 conference, including, but not limited to, historical tax credit
170 remittance data, historical and estimated prior year authorized
171 carry forward amounts, and historical and estimated amounts of
172 funds transferred pursuant to s. 1002.395(6)(1).

173 3.a. The conference shall convene and adopt an
174 ~~conference's~~ initial forecast of full-time equivalent public
175 school students which shall be made available and reviewed by

176 ~~projections of enrollments in public schools shall be forwarded~~
177 ~~by the conference to each school district~~ before the final
178 forecast is adopted by the conference.

179 b. The conference's initial forecast of scholarships
180 pursuant to s. 1002.395 shall be made available and reviewed by
181 each authorized nonprofit scholarship-funding organization
182 before the final forecast is adopted by the conference. Once
183 adopted, scholarship-funding organizations must maintain the
184 level of active participants identified within the official
185 information, as defined in s. 216.133(2), unless subsequently
186 revised by the conference no later than 2 months prior to the
187 ~~start of the regular session of the Legislature. Each school~~
188 ~~district may, in writing, request adjustments to the initial~~
189 ~~projections. Any adjustment request shall be submitted to the~~
190 ~~conference no later than 1 month prior to the start of the~~
191 ~~regular session of the Legislature and shall be considered by~~
192 ~~the principals of the conference. A school district may amend~~
193 ~~its adjustment request, in writing, during the first 3 weeks of~~
194 ~~the legislative session, and such amended adjustment request~~
195 ~~shall be considered by the principals of the conference. For any~~
196 ~~adjustment so requested, the district shall indicate and~~
197 ~~explain, using definitions adopted by the conference, the~~
198 ~~components of anticipated enrollment changes that correspond to~~
199 ~~continuation of current programs with workload changes; program~~
200 ~~improvement; program reduction or elimination; initiation of new~~

201 ~~programs; and any other information that may be needed by the~~
202 ~~Legislature. For public schools, the conference shall submit its~~
203 ~~full-time equivalent student consensus estimate to the~~
204 ~~Legislature no later than 1 month after the start of the regular~~
205 ~~session of the Legislature.~~

206 4. Official information, as defined in s. 216.133(2),
207 adopted by the ~~no~~ conference estimate may not be changed without
208 the agreement of the full conference.

209 **Section 2. Paragraphs (i) through (n) of subsection (2) of**
210 **section 1002.394, Florida Statutes, are redesignated as**
211 **paragraphs (j) through (o), respectively, subsection (1),**
212 **paragraph (a) of subsection (4), paragraphs (a) and (b) of**
213 **subsection (5), subsection (6), paragraphs (a) and (b) of**
214 **subsection (8), paragraph (b) of subsection (9), paragraphs (a)**
215 **and (b) of subsection (10), paragraphs (a), (b), and (c) of**
216 **subsection (11), and paragraphs (a), (b), and (d) of subsection**
217 **(12) are amended, a new paragraph (i) is added to subsection**
218 **(2), paragraph (f) is added to subsection (7), and paragraphs**
219 **(e), (f), and (g) are added to subsection (11) of that section,**
220 **to read:**

221 1002.394 The Family Empowerment Scholarship Program.—

222 (1) PURPOSE.—The Family Empowerment Scholarship Program is
223 established to provide children of families in this state ~~which~~
224 ~~have limited financial resources~~ with educational options to
225 achieve success in their education, with priority given to

226 | children of families with limited financial resources.

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

228 | (i) "Fraud" means an intentional deception, omission, or
229 | misrepresentation made by a person with knowledge that the
230 | deception, omission, or misrepresentation may result in
231 | unauthorized benefit to that person or another person, or any
232 | aiding and abetting of the commission of such an act. The term
233 | includes any act that constitutes fraud under applicable federal
234 | or state law.

235 | (4) AUTHORIZED USES OF PROGRAM FUNDS.—

236 | (a) Program funds awarded to a student determined eligible
237 | pursuant to paragraph (3) (a) may be used for:

238 | 1. Tuition and fees at an eligible private school.

239 | 2. Instructional materials, including digital materials
240 | and Internet resources.

241 | 3. Curriculum as defined in subsection (2).

242 | 4. Tuition and fees associated with full-time or part-time
243 | enrollment in an eligible postsecondary educational institution
244 | or a program offered by the postsecondary educational
245 | institution, unless the program is subject to s. 1009.25 or
246 | reimbursed pursuant to s. 1009.30; an approved preapprenticeship
247 | program as defined in s. 446.021(5) which is not subject to s.
248 | 1009.25 and complies with all applicable requirements of the
249 | department pursuant to chapter 1005; a private tutoring program
250 | authorized under s. 1002.43; a virtual program offered by a

251 department-approved private online provider that meets the
252 provider qualifications specified in s. 1002.45(2)(a); the
253 Florida Virtual School as a private paying student; or an
254 approved online course offered pursuant to s. 1003.499 or s.
255 1004.0961.

256 5. Fees for nationally standardized, norm-referenced
257 achievement tests, Advanced Placement Examinations, industry
258 certification examinations, assessments related to postsecondary
259 education, or other assessments.

260 6. Contracted services provided by a public school or
261 school district, including classes. A student who receives
262 contracted services under this subparagraph is not considered
263 enrolled in a public school for eligibility purposes as
264 specified in subsection (6) but rather attending a public school
265 on a part-time basis as authorized under s. 1002.44. A school
266 district may not report a student who is receiving contracted
267 services under this subparagraph for funding in the Florida
268 Education Finance Program.

269 7. Tuition and fees for part-time tutoring services or
270 fees for services provided by a choice navigator. Such services
271 must be provided by a person who holds a valid Florida
272 educator's certificate pursuant to s. 1012.56, a person who
273 holds an adjunct teaching certificate pursuant to s. 1012.57, a
274 person who has a bachelor's degree or a graduate degree in the
275 subject area in which instruction is given, a person who has

276 demonstrated a mastery of subject area knowledge pursuant to s.
277 1012.56(5), or a person certified by a nationally or
278 internationally recognized research-based training program as
279 approved by the department. As used in this subparagraph, the
280 term "part-time tutoring services" does not qualify as regular
281 school attendance as defined in s. 1003.01(16)(e).

282 (5) TERM OF SCHOLARSHIP.—For purposes of continuity of
283 educational choice:

284 (a)1. A scholarship funded to an eligible student pursuant
285 to paragraph (3)(a) shall remain in force until:

286 a. The organization determines that the student is not
287 eligible for program renewal;

288 b. The Commissioner of Education suspends or revokes
289 program participation or use of funds;

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

292 d. The student, who uses the scholarship for tuition and
293 fees pursuant to subparagraph (4)(a)1., enrolls in and is in
294 attendance at a public school. However, if a student enters a
295 Department of Juvenile Justice detention center for a period of
296 no more than 21 days, the student is not considered to have
297 returned to a public school on a full-time basis for that
298 purpose; or

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

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

303 (I) Denial or revocation of program eligibility by the
 304 commissioner for fraud or abuse, including, but not limited to,
 305 the student or student's parent accepting any payment, refund,
 306 or rebate, in any manner, from a provider of any services
 307 received pursuant to paragraph (4) (a) or expending funds from
 308 such a provider while the student attends a public school;

309 (II) Two consecutive fiscal years in which an account has
 310 been inactive; ~~or~~

311 (III) A student remains unenrolled in an eligible private
 312 school for 30 days while receiving a scholarship that requires
 313 full-time enrollment; or

314 (IV) A parent has failed to approve the quarterly deposit
 315 of scholarship funds.

316 b. Reimbursements for program expenditures may continue
 317 until the account balance is expended or remaining funds have
 318 reverted to the state.

319 (b)1. A scholarship funded to an eligible student pursuant
 320 to paragraph (3) (b) shall remain in force until:

321 a. The parent does not renew program eligibility;

322 b. The organization determines that the student is not
 323 eligible for program renewal;

324 c. The Commissioner of Education suspends or revokes
 325 program participation or use of funds;

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

328 e. The student enrolls and is in attendance full time in a
 329 public school; or

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

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

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

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

345 b. Any period of 3 consecutive years after high school
 346 completion or graduation during which the student has not been
 347 enrolled in an eligible postsecondary educational institution or
 348 a program offered by the institution; ~~or~~

349 c. Two consecutive fiscal years in which an account has
 350 been inactive; or

351 d. A parent has failed to approve the quarterly deposit of
352 scholarship funds.

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

355 (a) Enrolled full time in a public school, including, but
356 not limited to, the Florida School for the Deaf and the Blind,
357 the College-Preparatory Boarding Academy, ~~the Florida School for~~
358 ~~Competitive Academics,~~ the Florida Virtual School, the Florida
359 Scholars Academy, a developmental research school authorized
360 under s. 1002.32, or a charter school authorized under this
361 chapter. For purposes of this paragraph, a 3- or 4-year-old
362 child who receives services funded through the Florida Education
363 Finance Program is considered to be a student enrolled in a
364 public school. Funding provided under this section for a child
365 eligible for enrollment in the Voluntary Prekindergarten
366 Education Program shall constitute funding for the child under
367 part V of this chapter, and no additional funding shall be
368 provided for the child under part V.†

369 (b) Enrolled in a school operating for the purpose of
370 providing educational services to youth in a Department of
371 Juvenile Justice commitment program.†

372 (c) Receiving any other educational scholarship pursuant
373 to this chapter. However, an eligible public school student
374 receiving a scholarship under s. 1002.411 may receive a
375 scholarship for transportation pursuant to subparagraph

376 (4) (a) 2. ~~†~~

377 (d) Not having regular and direct contact with his or her
 378 private school teachers pursuant to s. 1002.421(1) (i), unless he
 379 or she is eligible pursuant to paragraph (3) (b) and enrolled in
 380 an eligible ~~the participating~~ private school's transition-to-
 381 work program pursuant to subsection (16) or a home education
 382 program pursuant to s. 1002.41. ~~†~~

383 (e) Participating in a private tutoring program pursuant
 384 to s. 1002.43 unless he or she is determined eligible pursuant
 385 to paragraph (3) (b). ~~†~~ ~~or~~

386 (f) Participating in virtual instruction pursuant to s.
 387 1002.455 that receives state funding pursuant to the student's
 388 participation.

389 (7) SCHOOL DISTRICT OBLIGATIONS.—

390 (f) Upon the request of a parent, each school district
 391 must provide verification of the student's withdrawal from a
 392 public school in a format prescribed by the department.

393 (8) DEPARTMENT OF EDUCATION OBLIGATIONS.—

394 (a) The department shall:

395 1. Publish and update, as necessary, information on the
 396 department website about the Family Empowerment Scholarship
 397 Program, including, but not limited to, student eligibility
 398 criteria;† parental responsibilities; a list of approved
 399 specialized instructional service providers required by s.
 400 1002.66; a list of nationally norm-referenced tests identified

401 as satisfying the testing requirements of subparagraph (9)(c)1.;
402 eligible postsecondary educational institutions; eligible
403 private schools; and eligible nonprofit scholarship-funding
404 organizations, and relevant data.

405 2.a. Assign a Florida student identification number
406 pursuant to s. 1008.386 to each eligible scholarship student who
407 has not previously been assigned a Florida student
408 identification number.

409 b. Cross-check each eligible nonprofit scholarship-funding
410 organization's verified list of scholarship students eligible to
411 receive a quarterly payment pursuant to paragraphs (11)(a) and
412 (b) and the full-time equivalent student membership survey data
413 pursuant to s. 1011.62(1)(a), to verify that a school district
414 has not also reported the student as a public school student. If
415 both the organization and a school district have reported the
416 same full-time equivalent student for funding, the department
417 must use the most recent student attendance records and reports
418 data collected pursuant to s. 1003.23 to resolve the reporting
419 duplication and may not release state scholarship funds for the
420 student until the duplication has been resolved.

421 c.2. Report, as part of the determination of full-time
422 equivalent membership pursuant to s. 1011.62(1)(a), all
423 scholarship students funded through the Florida Education
424 Finance Program who are not reported as enrolled by a school
425 district, and cross-check the list of scholarship students

426 ~~submitted by the eligible nonprofit scholarship funding~~
427 ~~organization with the full-time equivalent student membership~~
428 ~~survey data to avoid duplication.~~

429 d. Based on the number of scholarship students reported in
430 sub-subparagraph b., calculate the amount of state Florida
431 Education Finance Program funds to withhold for purposes of
432 funding scholarship students. The department may not use a
433 different data source for purposes of calculating the amount of
434 state Florida Education Finance Program funds to withhold.

435 3. Suspend or permanently revoke a scholarship recipient's
436 program participation when he or she is enrolled in and in
437 attendance at a public school.

438 4. Comply with all the requirements for the release of
439 scholarship funding established in subsection (12).

440 ~~3. Maintain and annually publish a list of nationally~~
441 ~~norm-referenced tests identified for purposes of satisfying the~~
442 ~~testing requirement in subparagraph (9)(c)1. The tests must meet~~
443 ~~industry standards of quality in accordance with state board~~
444 ~~rule.~~

445 ~~4. Notify eligible nonprofit scholarship funding~~
446 ~~organizations of the deadlines for submitting the verified list~~
447 ~~of eligible scholarship students.~~

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

450 6. Notify the parent and the organization when a

451 scholarship account is closed and program funds revert to the
452 state.

453 7. Notify an eligible nonprofit scholarship-funding
454 organization of any of the organization's or other
455 organization's identified students who are receiving
456 scholarships under this chapter.

457 8. Develop and provide to the scholarship-funding
458 organizations and school districts a standard request form for
459 student withdrawal from a public school and a standard request
460 form for withdrawal from the scholarship program.

461 ~~8. Maintain on its website a list of approved providers as~~
462 ~~required by s. 1002.66, eligible postsecondary educational~~
463 ~~institutions, eligible private schools, and eligible~~
464 ~~organizations and may identify or provide links to lists of~~
465 ~~other approved providers.~~

466 9. Require each organization to verify eligible
467 expenditures before the distribution of funds for any
468 expenditures made pursuant to subparagraphs (4) (b)1. and 2.
469 Review of expenditures made for services specified in
470 subparagraphs (4) (b)3.-15. may be completed after the purchase
471 is made.

472 10. Investigate to determine possible fraud ~~any written~~
473 ~~complaint of a violation of this section~~ by a parent, an
474 eligible ~~a student, a participating~~ private school, a public
475 school, a school district, an organization, a provider, or

476 another appropriate party in accordance with the process
477 established under s. 1002.421. During the investigation, the
478 department may examine all records and make inquiry of all
479 persons who may have knowledge as to any irregularity incidental
480 to the disbursement of state funds or other items or benefits
481 authorizations to scholarship recipients.

482 11. Require quarterly reports by an organization, which
483 must include, at a minimum, the number of students participating
484 in the program; the demographics of program participants; the
485 disability category of program participants; the matrix level of
486 services, if known; the scholarship ~~program~~ award amount per
487 student; the total expenditures for the purposes specified in
488 paragraph (4) (b); the types of providers of services to
489 students; the number of scholarship applications received, the
490 number of applications processed within 30 days after receipt,
491 and the number of incomplete applications received; data related
492 to reimbursement submissions, including the average number of
493 days for a reimbursement to be reviewed and the average number
494 of days for a reimbursement to be approved; any parent input and
495 feedback collected regarding the program; and any other
496 information deemed necessary by the department. Within 30 days
497 after receipt of each quarterly report, the department shall
498 submit a copy of the report to the Legislature.

499 12. Notify eligible nonprofit scholarship-funding
500 organizations that scholarships may not be awarded in a school

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501 district in which the award will exceed 99 percent of the school
502 district's share of state funding through the Florida Education
503 Finance Program as calculated by the department.

504 ~~13. Adjust payments to eligible nonprofit scholarship-~~
505 ~~funding organizations and, when the Florida Education Finance~~
506 ~~Program is recalculated, adjust the amount of state funds~~
507 ~~allocated to school districts through the Florida Education~~
508 ~~Finance Program based upon the results of the cross-check~~
509 ~~completed pursuant to subparagraph 2.~~

510 (b) At the direction of the Commissioner of Education, the
511 department may:

512 1. Suspend or revoke program participation or use of
513 program funds by the student or participation or eligibility of
514 an organization, eligible postsecondary educational institution,
515 approved provider, or other party for a violation of this
516 section.

517 2. Determine the length of, and conditions for lifting, a
518 suspension or revocation specified in this paragraph.

519 3. Recover state ~~unexpended program~~ funds or withhold
520 payment of an equal amount of state ~~program~~ funds to recover
521 state ~~program~~ funds that were not authorized for use, improperly
522 received or retained, or improperly used while the student was
523 enrolled and in attendance at a public school.

524

525 In determining whether to suspend or revoke participation or

526 lift a suspension or revocation in accordance with this
527 paragraph, the department may consider factors that include, but
528 are not limited to, acts or omissions that led to a previous
529 suspension or revocation of participation in a state or federal
530 program or an education scholarship program; failure to
531 reimburse the organization for funds improperly received or
532 retained; failure to reimburse state ~~government~~ funds improperly
533 received or retained; imposition of a prior criminal sanction
534 related to the person or entity or its officers or employees;
535 imposition of a civil fine or administrative fine, license
536 revocation or suspension, or program eligibility suspension,
537 termination, or revocation related to a person's or entity's
538 management or operation; or other types of criminal proceedings
539 in which the person or entity or its officers or employees were
540 found guilty of, regardless of adjudication, or entered a plea
541 of nolo contendere or guilty to, any offense involving fraud,
542 deceit, dishonesty, or moral turpitude.

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

547 (b) Provide to the organization all documentation required
548 for a student's participation, including confirmation of the
549 student's admission to the private school, the private school's
550 and student's fee schedules, and any other information required

551 by the organization to process scholarship payment under
552 subparagraph (12)(a)3. ~~(12)(a)4.~~ Such information must be
553 provided by the deadlines established by the organization and in
554 accordance with the requirements of this section. A student is
555 not eligible to receive a quarterly scholarship payment if the
556 private school fails to meet the deadline.

557

558 If a private school fails to meet the requirements of this
559 subsection or s. 1002.421, the commissioner may determine that
560 the private school is ineligible to participate in the
561 scholarship program.

562 (10) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
563 PARTICIPATION.—

564 (a) A parent who applies for a new scholarship under
565 paragraph (3)(a) whose student will be enrolled full time in an
566 eligible private school must:

567 1. Select an eligible private school and apply for the
568 admission of his or her student.

569 2. Comply with the process for applying for a new
570 scholarship established in subparagraph (11)(a)2.

571 ~~2. Request the scholarship by the date established by the~~
572 ~~organization in a manner that creates a written or electronic~~
573 ~~record of the request and the date of receipt of the request.~~

574 3.a. Beginning with new applications for the 2025-2026
575 school year and thereafter, notify the organization ~~by December~~

576 ~~15~~ that the scholarship is being accepted by July 1 to be
577 eligible for the first quarter payment, by September 1 to be
578 eligible for the second quarter payment, and by December 1 to be
579 eligible for the third quarter payment. All notifications must
580 include confirmation of the student's admission acceptance at an
581 eligible private school pursuant to subsection (9). A
582 scholarship is deemed declined if notification is not received
583 by December 1 ~~or declined.~~

584 b. Beginning with renewal applications for the 2025-2026
585 school year and thereafter, notify the organization by May 31
586 that the scholarship is being renewed by submitting all required
587 documentation, including confirmation of the student's admission
588 acceptance to an eligible private school pursuant to subsection
589 (9). A scholarship is deemed ~~or~~ declined if notification is not
590 received by May 31.

591 4. Notify ~~Inform~~ the applicable school district that ~~when~~
592 ~~the parent withdraws~~ his or her student is withdrawing from a
593 public school before his or her student's attendance at ~~to~~
594 ~~attend~~ an eligible private school.

595 5. Require his or her student participating in the
596 scholarship program to remain in attendance at the eligible
597 private school throughout the school year unless excused by the
598 school for illness or other good cause.

599 6. Meet with the eligible private school's principal or
600 the principal's designee to review the school's academic

601 programs and policies, specialized services, code of student
602 conduct, and attendance policies before enrollment.

603 7. Require his or her student participating in the
604 scholarship program to take the norm-referenced assessment
605 offered by the eligible private school. The parent may also
606 choose to have the student participate in the statewide
607 assessments pursuant to paragraph (7) (d). If the parent requests
608 that the student participating in the scholarship program take
609 all statewide assessments required pursuant to s. 1008.22, the
610 parent is responsible for transporting the student to the
611 assessment site designated by the school district.

612 8. Verify that his or her student is not attending a
613 public school and approve each quarterly payment established in
614 paragraph (12) (a) before the scholarship funds are ~~may be~~
615 ~~deposited by funds transfer pursuant to subparagraph (12) (a) 3.~~
616 The parent may not designate any entity or individual associated
617 with an eligible ~~the participating~~ private school as the
618 parent's attorney in fact to approve a funds transfer. A
619 participant who fails to comply with this paragraph forfeits the
620 scholarship.

621 9. Agree to have the organization commit scholarship funds
622 on behalf of his or her student for tuition and fees for which
623 the parent is responsible for payment at the eligible private
624 school before using scholarship account funds for additional
625 authorized uses under paragraph (4) (a). A parent is responsible

626 for all eligible expenses in excess of the amount of the
627 scholarship.

628 10. Comply with the scholarship application and renewal
629 processes and requirements established by this section ~~the~~
630 ~~organization.~~

631 (b) A parent who applies for a scholarship under paragraph
632 (3)(b) is exercising his or her parental option to determine the
633 appropriate placement or the services that best meet the needs
634 of his or her child and must:

635 1. Apply to an eligible nonprofit scholarship-funding
636 organization to participate in the program and comply with the
637 application process established in subparagraph (11)(b)2. ~~by a~~
638 ~~date set by the organization. The request must be communicated~~
639 ~~directly to the organization in a manner that creates a written~~
640 ~~or electronic record of the request and the date of receipt of~~
641 ~~the request.~~

642 2.a. Beginning with new applications for the 2025-2026
643 school year and thereafter, notify the organization by July 1
644 ~~December 15~~ that the scholarship is being accepted to be
645 eligible for the first quarter payment, by September 1 to be
646 eligible for the second quarter payment, and by December 1 to be
647 eligible for the third quarter payment. If applicable, all
648 notifications must include confirmation of the student's
649 admission acceptance at an eligible private school pursuant to
650 subsection (9). A scholarship is deemed declined if notification

651 is not received by December 1 ~~or declined~~.

652 b. Beginning with renewal applications for the 2025-2026
653 school year and thereafter, notify the organization by May 31
654 that the scholarship is being renewed by submitting all required
655 documentation, including, if applicable, confirmation of the
656 student's admission acceptance to an eligible private school
657 pursuant to subsection (9). A scholarship is deemed declined if
658 notification is not received by May 31 ~~or declined~~.

659 3. Sign an agreement with the organization and annually
660 submit a sworn compliance statement to the organization to
661 satisfy or maintain program eligibility, including eligibility
662 to receive and spend program payments by:

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

666 b. Affirming that the program funds are used only for
667 authorized purposes serving the student's educational needs, as
668 described in paragraph (4)(b); that any prepaid college plan or
669 college savings plan funds contributed pursuant to subparagraph
670 (4)(b)6. will not be transferred to another beneficiary while
671 the plan contains funds contributed pursuant to this section;
672 and that they will not receive a payment, refund, or rebate of
673 any funds provided under this section.

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

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

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

679 (II) Providing an annual evaluation in accordance with s.
680 1002.41(1) (f); or

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

690 d. Affirming that the student remains in good standing
691 with the provider or school if those options are selected by the
692 parent.

693 e. Enrolling his or her child in a program from a
694 Voluntary Prekindergarten Education Program provider authorized
695 under s. 1002.55, a school readiness provider authorized under
696 s. 1002.88, a prekindergarten program offered by an eligible
697 private school, or an eligible private school if selected by the
698 parent.

699 f. Complying ~~Comply~~ with the scholarship application and
700 renewal processes and requirements established by this section

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

713 g. Procuring the services necessary to educate the
714 student. If such services include enrollment in an eligible
715 private school, the parent must meet with the private school's
716 principal or the principal's designee to review the school's
717 academic programs and policies, specialized services, code of
718 student conduct, and attendance policies before his or her
719 student is enrolled. The parent must also approve each quarterly
720 payment to the eligible private school before the scholarship
721 funds may be deposited by funds transfer ~~pursuant to~~
722 ~~subparagraph (12)(a)4~~. The parent may not designate any entity
723 or individual ~~associated with the eligible private school~~ as the
724 parent's attorney in fact to approve a funds transfer. When the
725 student receives a scholarship, the district school board is not

726 obligated to provide the student with a free appropriate public
727 education. For purposes of s. 1003.57 and the Individuals with
728 Disabilities in Education Act, a participating student has only
729 those rights that apply to all other unilaterally parentally
730 placed students, except that, when requested by the parent,
731 school district personnel must develop an IEP or matrix level of
732 services.

733 h. Verifying that his or her student is not attending a
734 public school before approving each quarterly deposit of
735 scholarship funds.

736 (11) OBLIGATIONS OF ELIGIBLE SCHOLARSHIP-FUNDING
737 ORGANIZATIONS.—

738 (a) An eligible nonprofit scholarship-funding organization
739 awarding scholarships to eligible students pursuant to paragraph
740 (3) (a) shall:

741 1. Establish a process for parents whose students were
742 funded a scholarship in the prior school year ~~who are in~~
743 ~~compliance with paragraph (10) (a)~~ to renew their students'
744 scholarships which is consistent with the requirements of
745 subsection (10). Renewal applications for the 2025-2026 school
746 year and thereafter must provide for a renewal timeline
747 beginning February 1 of the prior school year and ending April
748 30 of the prior school year. ~~A student's renewal is contingent~~
749 ~~upon an eligible private school providing confirmation of~~
750 ~~student admission pursuant to subsection (9). The process must~~

751 ~~require that parents confirm that the scholarship is being~~
752 ~~renewed or declined by May 31.~~

753 2. Establish a process for parents ~~that allows a parent to~~
754 ~~apply for a new scholarship which must include:~~

755 a. A submission period for submitting an application which
756 must. ~~The process may begin no earlier than February 1 of the~~
757 ~~prior school year and must end on~~ authorize submission of
758 ~~applications until~~ November 15. ~~The process must be in a manner~~
759 ~~that creates a written or electronic record of the application~~
760 ~~request and the date of receipt of the application request.~~

761 Applications received after November 15 ~~the deadline~~ may be
762 considered for scholarship award in the subsequent fiscal year.

763 b. Submission of the completed application must be in a
764 manner that creates a written or electronic record of the
765 application and the date of receipt and includes all required
766 documentation for verifying student eligibility ~~The process must~~
767 ~~require that parents confirm that the scholarship is being~~
768 ~~accepted or declined by December 15.~~

769 3. Verify the household income level of students seeking
770 priority eligibility ~~and submit the verified list of students to~~
771 ~~the department.~~

772 4. Submit to the department the verified list of
773 scholarship students eligible to receive a quarterly payment 30
774 days before the release of each quarterly payment established in
775 paragraph (12) (a). If applicable, verification must include

776 confirmation of withdrawal from a public school. Quarterly
777 payment requests must include the Florida student identification
778 number when assigned by the department.

779 ~~5.4.~~ Award scholarships in priority order pursuant to
780 paragraph (3) (a).

781 ~~6.5.~~ Establish and maintain separate scholarship accounts
782 for each eligible student. For each account, the organization
783 must maintain a record of accrued interest that is retained in
784 the student's account and available only for authorized
785 scholarship ~~program~~ expenditures.

786 ~~7.6.~~ Permit eligible students to use scholarship ~~program~~
787 funds for the purposes specified in paragraph (4) (a), as
788 authorized in the organization's purchasing handbook, by paying
789 for the authorized use directly, then submitting a reimbursement
790 request to the eligible nonprofit scholarship-funding
791 organization. However, an eligible nonprofit scholarship-funding
792 organization may require the use of an online platform for
793 direct purchases of products so long as such use does not limit
794 a parent's choice of curriculum or academic programs. If a
795 parent purchases a product identical to one offered by an
796 organization's online platform for a lower price, the
797 organization must reimburse the parent the cost of the product.

798 8. Comply with all requirements for the release of state
799 funds for scholarship students established in subsections (10)
800 and (12).

801 ~~7. In a timely manner, submit the verified list of~~
802 ~~students and any information requested by the department~~
803 ~~relating to the scholarship under this section.~~

804 9.8. Notify the department about any violation of this
805 section.

806 10.9. Document each student's eligibility for each a
807 fiscal year before awarding a new or renewed ~~granting a~~
808 scholarship for that fiscal year. A student is ineligible for a
809 scholarship if the student's account has been inactive for 2
810 consecutive fiscal years.

811 ~~11.10.~~ Notify each parent that participation in the
812 scholarship program does not guarantee enrollment.

813 ~~12.a.11.~~ Commit scholarship funds on behalf of the student
814 for tuition and fees for which the parent is responsible for
815 payment at an eligible ~~the participating~~ private school before
816 using scholarship account funds for additional authorized uses
817 under paragraph (4) (a).

818 b. Make payment for tuition and fees for full-time
819 enrollment at an eligible private school within 7 business days
820 after receiving approval by the parent pursuant to paragraph
821 (10) (a). Payment must be by funds transfer or any other means of
822 payment that the department deems to be commercially viable or
823 cost-effective.

824 13. Recover funds improperly received or retained by an
825 eligible private school. Funds are considered improperly

826 received or retained when the private school verifies enrollment
827 and attendance of a student enrolled and in attendance at a
828 public school.

829 (b) An eligible nonprofit scholarship-funding organization
830 awarding scholarships to eligible students pursuant to paragraph
831 (3) (b) shall:

832 1. Establish a process for parents whose students were
833 funded a scholarship in the prior school year ~~who are in~~
834 ~~compliance with paragraph (10) (b)~~ to renew their students'
835 scholarships. Renewal applications for the 2025-2026 school year
836 and thereafter must provide for a renewal timeline beginning
837 February 1 of the prior school year and ending April 30 of the
838 prior school year. ~~A student's renewal is contingent upon an~~
839 ~~eligible private school providing confirmation of student~~
840 ~~admission pursuant to subsection (9), if applicable. The process~~
841 ~~must require that parents confirm that the scholarship is being~~
842 ~~renewed or declined by May 31.~~

843 2. Establish a process for parents ~~that allows a parent to~~
844 ~~apply for a new scholarship~~ which must include:

845 a. A submission period for submitting an application which
846 must. ~~The process may~~ begin no earlier than February 1 of the
847 prior school year and end on ~~must authorize the submission of~~
848 ~~applications until~~ November 15. ~~The process must be in a manner~~
849 ~~that creates a written or electronic record of the application~~
850 ~~request and the date of receipt of the application request.~~

851 Applications received after November 15 ~~the deadline~~ may be
852 considered for scholarship award in the subsequent fiscal year.
853 ~~The process must require that parents confirm that the~~
854 ~~scholarship is being accepted or declined by December 15.~~

855 b. Submission of the completed application must be in a
856 manner that creates a written or electronic record of the
857 application and the date of receipt and includes all required
858 documentation for verifying student eligibility.

859 3. Submit to the department the verified list of
860 scholarship students eligible to receive a quarterly payment 30
861 days before the release of each quarterly payment established in
862 paragraph (12) (b). If applicable, verification must include
863 confirmation of withdrawal from a public school. Quarterly
864 payment requests must include the Florida student identification
865 number when assigned by the department.

866 4. Make payment for tuition and fees for full-time
867 enrollment at an eligible private school within 7 business days
868 after receiving approval by the parent pursuant to paragraph
869 (10) (b). Payment must be by funds transfer or any other means of
870 payment that the department deems to be commercially viable or
871 cost-effective.

872 ~~5.3.~~ Review applications and award scholarships using the
873 following priorities:

- 874 a. Renewing students from the previous school year.
875 b. An eligible student who is determined eligible ~~meets~~

876 ~~the criteria for a new scholarship an initial award~~ pursuant to
877 paragraph (3) (b) on a first-come, first-served basis.

878 ~~6.4.~~ Establish and maintain separate accounts for each
879 eligible student. For each account, the organization must
880 maintain a record of accrued interest that is retained in the
881 student's account and available only for authorized scholarship
882 ~~program~~ expenditures.

883 ~~7.5.~~ Verify qualifying educational expenditures pursuant
884 to the requirements of paragraph (4) (b).

885 ~~8.6.~~ Return any remaining scholarship ~~program~~ funds to the
886 department pursuant to paragraph (6) (b).

887 ~~9.7.~~ Notify the parent about the availability of, and the
888 requirements associated with requesting, an initial IEP or IEP
889 reevaluation every 3 years for each student participating in the
890 program.

891 ~~10.8.~~ Notify the parent of available state and local
892 services, including, but not limited to, services under chapter
893 413.

894 11. Comply with all requirements for the release of state
895 funds for scholarship students pursuant to subsection (12).

896 ~~9. In a timely manner, submit to the department the~~
897 ~~verified list of eligible scholarship students and any~~
898 ~~information requested by the department relating to the~~
899 ~~scholarship under this section.~~

900 ~~12.10.~~ Notify the department of any violation of this

901 section.

902 ~~13.11.~~ Document each scholarship student's eligibility for
903 each a fiscal year before awarding ~~granting~~ a scholarship for
904 that fiscal year pursuant to paragraph (3) (b) and disburse
905 quarterly payments upon approval of the parent. A student is
906 ineligible for a scholarship if the student's account has been
907 inactive for 2 consecutive fiscal years.

908 14. Recover funds improperly received or retained by a
909 parent. Funds are considered improperly received or retained
910 when the parent's student is enrolled and in attendance at a
911 public school.

912 (c) An eligible nonprofit scholarship-funding organization
913 may, from eligible contributions received pursuant to s.
914 1002.395(6)(l)1., use an amount not to exceed 2.5 percent of the
915 total amount of all scholarships funded under this section for
916 administrative expenses associated with performing functions
917 under this section. An organization that, for the prior fiscal
918 year, has complied with the expenditure requirements of s.
919 1002.395(6)(l)2. ~~s. 1002.395(6)(l)3.~~ may use an amount not to
920 exceed 3 percent. Such administrative expense amount is
921 considered within the 3-percent limit on the total amount an
922 organization may use to administer scholarships under this
923 chapter.

924 (e) An eligible scholarship-funding organization may not
925 award a scholarship to a student in a school district in which

926 the award will exceed 99 percent of the school district's share
927 of state funding through the Florida Education Finance Program
928 as calculated by the department.

929 (f) An eligible scholarship-funding organization shall
930 provide to the Auditor General any information or documentation
931 requested in connection with an operational audit conducted
932 pursuant to s. 11.45(2)(1) and with an audit of students funded
933 in the Florida Education Finance Program pursuant to s.
934 1010.305.

935 (g) An eligible scholarship-funding organization must use
936 the standard request forms for withdrawal provided by the
937 department pursuant to subsection (8).

938 (12) SCHOLARSHIP FUNDING AND PAYMENT.—

939 (a)1. The calculated scholarship amount for a
940 participating student determined eligible pursuant to paragraph
941 (3)(a) shall be based upon the grade level and school district
942 in which the student was assigned as 100 percent of the funds
943 per unweighted full-time equivalent in the Florida Education
944 Finance Program for a student in the basic program established
945 pursuant to s. 1011.62(1)(c)1., plus a per-full-time equivalent
946 share of funds for the categorical programs established in s.
947 1011.62(5), (7)(a), and (16), as funded in the General
948 Appropriations Act.

949 2.a. For renewing scholarship students, the organization
950 must submit the verified list of scholarship students eligible

951 to receive a quarterly payment to the department and, contingent
952 upon compliance with subsection (8) ~~verify the student's~~
953 ~~continued eligibility to participate in the scholarship program~~
954 ~~at least 30 days before each payment. Upon receiving the~~
955 ~~verified list of eligible scholarship students, the department~~
956 shall release, from state funds only, the amount calculated
957 pursuant to subparagraph 1. to the organization for deposit into
958 the student's account in quarterly payments that are released on
959 ~~no later than~~ August 1, November 1, February 1, and April 1 of
960 each school year in which the scholarship is in force. The
961 department may not release state funds for scholarships outside
962 of the authorized quarterly payment schedule.

963 b. For new scholarship students, the organization must
964 submit the verified list of scholarship students eligible to
965 receive a quarterly payment to the department and, contingent
966 upon compliance with subsection (8) ~~verify the student's~~
967 ~~eligibility to participate in the scholarship program at least~~
968 ~~30 days before each payment. Upon receiving the verified list of~~
969 ~~eligible scholarship students, the department shall release,~~
970 from state funds only, the amount calculated pursuant to
971 subparagraph 1. to the organization for deposit into the
972 student's account in quarterly payments that are released on ~~no~~
973 ~~later than~~ September 1, November 1, February 1, and April 1 of
974 each school year in which the scholarship is in force. For a
975 student exiting a Department of Juvenile Justice commitment

976 program who chooses to participate in the scholarship program,
977 the amount calculated pursuant to subparagraph 1. must be
978 transferred from the school district in which the student last
979 attended a public school before commitment to the Department of
980 Juvenile Justice. The department may not release state funds for
981 scholarships outside of the authorized quarterly payment
982 schedule.

983 c. The department is authorized to release the state funds
984 contingent upon ~~verification that~~ the organization providing
985 written verification to the department and the Legislature that
986 the organization has complied with the requirements of will
987 comply with s. 1002.395(6)(1) based upon the organization's
988 submitted verified list of eligible scholarship students
989 pursuant to s. 1002.395.

990 d. The department may not release state funds to a
991 scholarship student who has not been assigned a Florida student
992 identification number pursuant to s. 1008.386.

993 ~~3. The initial payment shall be made after the~~
994 ~~organization's verification of admission acceptance, and~~
995 ~~subsequent payments shall be made upon verification of continued~~
996 ~~enrollment and attendance at the participating private school.~~
997 ~~Payments for tuition and fees for full-time enrollment shall be~~
998 ~~made within 7 business days after approval by the parent~~
999 ~~pursuant to paragraph (10)(a) and the private school pursuant to~~
1000 ~~paragraph (9)(b). Payment must be by funds transfer or any other~~

1001 ~~means of payment that the department deems to be commercially~~
1002 ~~viable or cost effective. An organization shall ensure that the~~
1003 ~~parent has approved a funds transfer before any scholarship~~
1004 ~~funds are deposited.~~

1005 3.4. An organization may not transfer any funds to an
1006 account of a student determined eligible pursuant to paragraph
1007 (3) (a) which has a balance in excess of \$24,000.

1008 (b)1. For the 2024-2025 school year, the maximum number of
1009 scholarships funded under paragraph (3) (b) shall be 72,615.
1010 Beginning in the 2025-2026 school year, the maximum number of
1011 scholarships funded under paragraph (3) (b) shall annually
1012 increase by 5 percent of the state's total exceptional student
1013 education full-time equivalent student membership, not including
1014 gifted students. The maximum number of scholarships funded shall
1015 increase by 1 percent of the state's total exceptional student
1016 education full-time equivalent student membership, not including
1017 gifted students, in the school year following any school year in
1018 which the number of scholarships funded exceeds 95 percent of
1019 the number of available scholarships for that school year. An
1020 eligible student who meets any of the following requirements
1021 shall be excluded from the maximum number of students if the
1022 student:

1023 a. Received specialized instructional services under the
1024 Voluntary Prekindergarten Education Program pursuant to s.
1025 1002.66 during the previous school year and the student has a

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1026 current IEP developed by the district school board in accordance
1027 with rules of the State Board of Education;

1028 b. Is a dependent child of a law enforcement officer or a
1029 member of the United States Armed Forces, a foster child, or an
1030 adopted child; or

1031 c. Spent the prior school year in attendance at a Florida
1032 public school or the Florida School for the Deaf and the Blind.
1033 For purposes of this subparagraph, the term "prior school year
1034 in attendance" means that the student was enrolled and reported
1035 by:

1036 (I) A school district for funding during either the
1037 preceding October or February full-time equivalent student
1038 membership surveys in kindergarten through grade 12, which
1039 includes time spent in a Department of Juvenile Justice
1040 commitment program if funded under the Florida Education Finance
1041 Program;

1042 (II) The Florida School for the Deaf and the Blind during
1043 the preceding October or February full-time equivalent student
1044 membership surveys in kindergarten through grade 12;

1045 (III) A school district for funding during the preceding
1046 October or February full-time equivalent student membership
1047 surveys, was at least 4 years of age when enrolled and reported,
1048 and was eligible for services under s. 1003.21(1)(e); or

1049 (IV) Received a John M. McKay Scholarship for Students
1050 with Disabilities in the 2021-2022 school year.

1051 2. For a student who has a Level I to Level III matrix of
1052 services or a diagnosis by a physician or psychologist, the
1053 calculated scholarship amount for a student participating in the
1054 program must be based upon the grade level and school district
1055 in which the student would have been enrolled as the total funds
1056 per unweighted full-time equivalent in the Florida Education
1057 Finance Program for a student in the basic exceptional student
1058 education program pursuant to s. 1011.62(1)(c) and (d), plus a
1059 per full-time equivalent share of funds for the categorical
1060 programs established in s. 1011.62(5), (7)(a), (8), and (16), as
1061 funded in the General Appropriations Act. For the categorical
1062 program established in s. 1011.62(8), the funds must be
1063 allocated based on the school district's average exceptional
1064 student education guaranteed allocation funds per exceptional
1065 student education full-time equivalent student.

1066 3. For a student with a Level IV or Level V matrix of
1067 services, the calculated scholarship amount must be based upon
1068 the school district to which the student would have been
1069 assigned as the total funds per full-time equivalent for the
1070 Level IV or Level V exceptional student education program
1071 pursuant to s. 1011.62(1)(c)2.a. or b., plus a per-full time
1072 equivalent share of funds for the categorical programs
1073 established in s. 1011.62(5), (7)(a), and (16), as funded in the
1074 General Appropriations Act.

1075 4. For a student who received a Gardiner Scholarship

1076 pursuant to former s. 1002.385 in the 2020-2021 school year, the
1077 amount shall be the greater of the amount calculated pursuant to
1078 subparagraph 2. or the amount the student received for the 2020-
1079 2021 school year.

1080 5. For a student who received a John M. McKay Scholarship
1081 pursuant to former s. 1002.39 in the 2020-2021 school year, the
1082 amount shall be the greater of the amount calculated pursuant to
1083 subparagraph 2. or the amount the student received for the 2020-
1084 2021 school year.

1085 ~~6. The organization must verify the student's eligibility~~
1086 ~~to participate in the scholarship program at least 30 days~~
1087 ~~before each payment.~~

1088 6.7.a. For renewing scholarship students enrolled in an
1089 eligible private school, the organization must submit upon
1090 receiving the verified list of eligible scholarship students
1091 eligible to receive a quarterly payment to the department and,
1092 contingent upon compliance with subsection (8), the department
1093 shall release, from state funds only, the amount calculated
1094 pursuant to subparagraph 1. to the organization for deposit into
1095 the student's account in quarterly payments on no later than
1096 August 1, November 1, February 1, and April 1 of each school
1097 year in which the scholarship is in force. The department may
1098 not release state funds for scholarships outside of the
1099 designated quarterly payment schedule.

1100 b. For new scholarship students and renewing scholarship

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1101 students not enrolled in a private school, the organization must
1102 submit upon receiving the verified list of eligible scholarship
1103 students eligible to receive a quarterly payment to the
1104 department and, contingent upon compliance with subsection (8),
1105 the department shall release, from state funds only, the amount
1106 calculated pursuant to subparagraph 1. to the organization. The
1107 organization shall for deposit into the student's account each
1108 in quarterly payment that is released on payments no later than
1109 September 1, November 1, February 1, and April 1 of each school
1110 year in which the scholarship is in force. The department may
1111 not release state funds for scholarships outside of the
1112 authorized quarterly payment schedule.

1113 c. The department may not release state funds to a
1114 scholarship student who has not been assigned a Florida student
1115 identification number pursuant to s. 1008.386.

1116 ~~8. If a scholarship student is attending an eligible~~
1117 ~~private school full time, the initial payment shall be made~~
1118 ~~after the organization's verification of admission acceptance,~~
1119 ~~and subsequent payments shall be made upon verification of~~
1120 ~~continued enrollment and attendance at the eligible private~~
1121 ~~school. Payments for tuition and fees for full-time enrollment~~
1122 ~~shall be made within 7 business days after approval by the~~
1123 ~~parent pursuant to paragraph (10) (b) and the private school~~
1124 ~~pursuant to paragraph (9) (b).~~

1125 ~~7.9.~~ Accrued interest in the student's account is in

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1126 addition to, and not part of, the released state ~~awarded~~ funds.
1127 Scholarship Program funds include both the released state
1128 ~~awarded~~ funds and accrued interest.

1129 8.10. The organization may develop a system for deposit
1130 ~~payment~~ of funds ~~benefits~~ by funds transfer, including, but not
1131 limited to, debit cards, electronic payment cards, or any other
1132 means of payment which the department deems to be commercially
1133 viable or cost-effective. A student's scholarship amount ~~award~~
1134 may not be reduced for debit card or electronic payment fees.
1135 Commodities or services related to the development of such a
1136 system must be procured by competitive solicitation unless they
1137 are purchased from a state term contract pursuant to s. 287.056.

1138 9.11. An organization may not transfer any funds to an
1139 account of a student determined to be eligible pursuant to
1140 paragraph (3)(b) which has a balance in excess of \$50,000.

1141 10.12. Moneys received pursuant to this section do not
1142 constitute taxable income to the qualified student or the parent
1143 of the qualified student.

1144 (d) Within 45 ~~30~~ days after each quarterly ~~the~~ release of
1145 state funds pursuant to paragraphs (a) and (b), the eligible
1146 scholarship-funding organization shall certify to the department
1147 the amount of state funds deposited into ~~distributed for~~ student
1148 scholarship accounts ~~scholarships~~. If the amount of state funds
1149 released by the department is more than the amount deposited
1150 into student scholarship accounts ~~distributed by the~~

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1151 ~~organization~~, the department must ~~is authorized to~~ adjust the
1152 amount of the overpayment in the subsequent quarterly payment
1153 release.

1154 **Section 3. Paragraph (b) of subsection (2), paragraphs (a)**
1155 **and (c) of subsection (4), paragraphs (d) through (h), (l), (p),**
1156 **(q), (t), and (x) of subsection (6), paragraphs (a) and (b) of**
1157 **subsection (7), paragraphs (d) and (i) of subsection (9), and**
1158 **paragraphs (b), (c), and (d) of subsection (11) of section**
1159 **1002.395, Florida Statutes, are amended, and paragraphs (z) and**
1160 **(aa) are added to subsection (6) of that section, to read:**

1161 1002.395 Florida Tax Credit Scholarship Program.—

1162 (2) DEFINITIONS.—As used in this section, the term:

1163 (b) "Choice navigator" means an individual who meets the
1164 requirements of sub-subparagraph (6)(d)5.g. ~~(6)(d)4.g.~~ and who
1165 provides consultations, at a mutually agreed upon location, on
1166 the selection of, application for, and enrollment in educational
1167 options addressing the academic needs of a student; curriculum
1168 selection; and advice on career and postsecondary education
1169 opportunities. However, nothing in this section authorizes a
1170 choice navigator to oversee or exercise control over the
1171 curricula or academic programs of a personalized education
1172 program.

1173 (4) SCHOLARSHIP PROHIBITIONS.—A student is not eligible
1174 for a scholarship while he or she is:

1175 (a) Enrolled full time in a public school, including, but

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1176 not limited to, the Florida School for the Deaf and the Blind,
1177 the College-Preparatory Boarding Academy, ~~the Florida School for~~
1178 ~~Competitive Academics,~~ the Florida Virtual School, the Florida
1179 Scholars Academy, a developmental research school authorized
1180 under s. 1002.32, or a charter school authorized under this
1181 chapter. For purposes of this paragraph, a 3- or 4-year-old
1182 child who receives services funded through the Florida Education
1183 Finance Program is considered a student enrolled full time in a
1184 public school;

1185 (c) Receiving any other educational scholarship pursuant
1186 to this chapter. However, an eligible public school student
1187 receiving a scholarship under s. 1002.411 may receive a
1188 scholarship for transportation pursuant to subparagraph (6) (d) 5.
1189 ~~(6) (d) 4.~~;

1190 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
1191 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
1192 organization:

1193 (d)1. For the 2023-2024 school year, may fund no more than
1194 20,000 scholarships for students who are enrolled pursuant to
1195 paragraph (7) (b). The number of scholarships funded for such
1196 students may increase by 40,000 in each subsequent school year
1197 pursuant paragraph (g). This subparagraph is repealed July 1,
1198 2027.

1199 2. Shall establish a process for parents whose students
1200 received a scholarship in the prior year and who are in

1201 compliance with paragraph (7) (a) to renew their students'
1202 scholarships. Renewal applications for the 2025-2026 school year
1203 and thereafter must provide for a renewal timeline beginning
1204 February 1 of the prior school year and ending April 30 of the
1205 prior school year. ~~A student's renewal is contingent upon an~~
1206 ~~eligible private school providing confirmation of admission~~
1207 ~~pursuant to subsection (8).~~ The process must require that
1208 parents confirm that the scholarship is being renewed and submit
1209 all required documentation for verifying eligibility that the
1210 scholarship is being renewed or declined by May 31. A parent's
1211 failure to comply with the May 31 deadline shall result in the
1212 scholarship being deemed declined.

1213 3.a. Shall establish a process that allows a parent to
1214 apply for a new scholarship which begins no earlier than
1215 February 1 of the prior school year and ends on November 15.
1216 Applications received after November 15 may be considered for
1217 scholarship award in the subsequent fiscal year.

1218 b. The process must be in a manner that creates a written
1219 or electronic record of the application request and the date of
1220 its receipt and includes all required documentation for
1221 verifying student eligibility of the application request. ~~The~~
1222 ~~process must require that parents confirm that the scholarship~~
1223 ~~is being accepted or declined by a date set by the organization.~~

1224 4. Shall submit to the Department of Education the
1225 verified list of scholarship students eligible to receive a

1226 quarterly payment 30 days before the release of the quarterly
1227 payment established in subsection (11). Verification must
1228 include confirmation of withdrawal from a public school, if
1229 applicable, and inclusion of the Florida student identification
1230 number when assigned by the Department of Education.

1231 ~~5.4.~~ Must establish and maintain separate scholarship
1232 accounts from eligible contributions for each eligible student.
1233 For each account, the organization must maintain a record of
1234 accrued interest retained in the student's account. The
1235 organization must verify that scholarship funds are used for:

1236 a. Tuition and fees for full-time or part-time enrollment
1237 in an eligible private school.

1238 b. Instructional materials, including digital materials
1239 and Internet resources.

1240 c. Curriculum as defined in s. 1002.394(2).

1241 d. Tuition and fees associated with full-time or part-time
1242 enrollment in a home education instructional program; an
1243 eligible postsecondary educational institution or a program
1244 offered by the postsecondary educational institution, unless the
1245 program is subject to s. 1009.25 or reimbursed pursuant to s.
1246 1009.30; an approved preapprenticeship program as defined in s.
1247 446.021(5) which is not subject to s. 1009.25 and complies with
1248 all applicable requirements of the Department of Education
1249 pursuant to chapter 1005; a private tutoring program authorized
1250 under s. 1002.43; a virtual program offered by a department-

1251 approved private online provider that meets the provider
1252 qualifications specified in s. 1002.45(2)(a); the Florida
1253 Virtual School as a private paying student; or an approved
1254 online course offered pursuant to s. 1003.499 or s. 1004.0961.

1255 e. Fees for nationally standardized, norm-referenced
1256 achievement tests, Advanced Placement Examinations, industry
1257 certification examinations, assessments related to postsecondary
1258 education, or other assessments.

1259 f. Contracted services provided by a public school or
1260 school district, including classes. A student who receives
1261 contracted services under this sub-subparagraph is not
1262 considered enrolled in a public school for eligibility purposes
1263 as specified in subsection (11) but rather attending a public
1264 school on a part-time basis as authorized under s. 1002.44. A
1265 school district may not report a student who is receiving
1266 contracted services under this sub-subparagraph for funding in
1267 the Florida Education Finance Program.

1268 g. Tuition and fees for part-time tutoring services or
1269 fees for services provided by a choice navigator. Such services
1270 must be provided by a person who holds a valid Florida
1271 educator's certificate pursuant to s. 1012.56, a person who
1272 holds an adjunct teaching certificate pursuant to s. 1012.57, a
1273 person who has a bachelor's degree or a graduate degree in the
1274 subject area in which instruction is given, a person who has
1275 demonstrated a mastery of subject area knowledge pursuant to s.

1276 1012.56(5), or a person certified by a nationally or
1277 internationally recognized research-based training program as
1278 approved by the Department of Education. As used in this
1279 paragraph, the term "part-time tutoring services" does not
1280 qualify as regular school attendance as defined in s.
1281 1003.01(16)(e).

1282 (e) For students determined eligible pursuant to paragraph
1283 (7)(b), must:

1284 1. Establish a process for parents who are in compliance
1285 with subparagraph (7)(b)1. to apply for a new scholarship. New
1286 scholarship applications for the 2025-2026 school year and
1287 thereafter must provide for an application timeline beginning
1288 February 1 of the prior school year and ending April 30 of the
1289 prior school year. The process must require that parents confirm
1290 that the scholarship is being accepted or declined by May 31. A
1291 parent's failure to comply with the May 31 deadline shall result
1292 in the scholarship being deemed declined.

1293 2. Establish a process for parents whose students received
1294 a scholarship in the prior year ~~who are in compliance with~~
1295 ~~paragraph (7)(b)~~ to renew their students' scholarships. Renewal
1296 scholarship applications for the 2025-2026 school year and
1297 thereafter must provide for a renewal timeline beginning
1298 February 1 of the prior school year and ending April 30 of the
1299 prior school year. The process must require that parents confirm
1300 that the scholarship is being renewed and submit all required

1301 documentation for verifying eligibility, including the updated
1302 student learning plan, ~~or declined~~ by May 31. A parent's failure
1303 to comply with the May 31 deadline shall result in the
1304 scholarship being deemed declined.

1305 3. Submit to the Department of Education the verified list
1306 of scholarship students eligible to receive a quarterly payment
1307 30 days before the release of the quarterly payment established
1308 in subsection (11). Verification must include confirmation of
1309 student withdrawal from a public school, if applicable, and
1310 inclusion of the Florida student identification number when
1311 assigned by the Department of Education.

1312 ~~4.3.~~ Maintain a signed agreement from the parent which
1313 constitutes compliance with the attendance requirements under
1314 ss. 1003.01(16) and 1003.21(1).

1315 ~~5.4.~~ Receive eligible student test scores and, beginning
1316 with the 2027-2028 school year, by August 15, annually report
1317 test scores for students pursuant to paragraph (7)(b) to a state
1318 university pursuant to paragraph (9)(f).

1319 ~~6.5.~~ Provide parents with information, guidance, and
1320 support to create and ~~annually~~ update a student learning plan
1321 for their student. The organization must maintain the plan and
1322 allow parents to electronically submit, access, and revise the
1323 plan continuously.

1324 ~~6. Upon submission by the parent of an annual student~~
1325 ~~learning plan, fund a scholarship for a student determined~~

1326 ~~eligible.~~

1327 (f) Must give first priority to eligible renewal students
1328 who received a scholarship funding from an eligible nonprofit
1329 scholarship-funding organization during the previous school
1330 year. The eligible nonprofit scholarship-funding organization
1331 must obligate ~~fully apply and exhaust all~~ funds pursuant to
1332 paragraph (1) available under this section for renewal
1333 scholarships ~~scholarship awards~~ before awarding any new initial
1334 scholarships. For purposes of this paragraph, the term
1335 "obligate" means to reserve funds for students determined
1336 eligible for funding in accordance with subsection (7).

1337 (g) Must award ~~provide~~ a new scholarship to an eligible
1338 student, including students determined eligible pursuant to
1339 paragraph (7) (b), on a first-come, first-served basis unless the
1340 student is seeking priority eligibility pursuant to subsection
1341 (3).

1342 (h) Must refer any student eligible for a scholarship
1343 pursuant to this section who did not receive a renewal or new
1344 ~~initial~~ scholarship based solely on the lack of available funds
1345 under this section to another eligible nonprofit scholarship-
1346 funding organization that may have funds available.

1347 (l)1. May use eligible contributions received pursuant to
1348 this section and ss. 212.099, 212.1831, and 212.1832 during the
1349 state fiscal year in which such contributions are collected for
1350 administrative expenses if the organization has operated as an

1351 eligible nonprofit scholarship-funding organization for at least
1352 the preceding 3 fiscal years and did not have any findings of
1353 material weakness or material noncompliance in its most recent
1354 audit under paragraph (o) or is in good standing in each state
1355 in which it administers a scholarship program and the audited
1356 financial statements for the preceding 3 fiscal years are free
1357 of material misstatements and going concern issues.

1358 Administrative expenses from eligible contributions may not
1359 exceed 3 percent of the total amount of all scholarships and
1360 stipends funded by an eligible scholarship-funding organization
1361 under this chapter. Such administrative expenses must be
1362 reasonable and necessary for the organization's management and
1363 distribution of scholarships funded under this chapter.

1364 ~~Administrative expenses may include developing or contracting~~
1365 ~~with rideshare programs or facilitating carpool strategies for~~
1366 ~~recipients of a transportation scholarship under s. 1002.394. No~~
1367 funds authorized under this subparagraph shall be used for
1368 lobbying or political activity or expenses related to lobbying
1369 or political activity. Up to one-third of the funds authorized
1370 for administrative expenses under this subparagraph may be used
1371 for expenses related to the recruitment of contributions from
1372 taxpayers. An eligible nonprofit scholarship-funding
1373 organization may not charge an application fee.

1374 ~~2. Must expend for annual or partial-year scholarships 100~~
1375 ~~percent of any eligible contributions from the prior fiscal~~

1376 ~~year.~~

1377 ~~2.3.~~ Must disburse ~~expend~~ for annual or partial-year

1378 scholarships an amount equal to or greater than 85 ~~75~~ percent of

1379 all net eligible contributions, as defined in subsection (2),

1380 remaining after administrative expenses during the ~~state~~ fiscal

1381 year in which such eligible contributions are collected. No more

1382 than 15 ~~25~~ percent of such net eligible contributions or the

1383 amount adopted by the Education Estimating Conference pursuant

1384 to s. 216.136(4), whichever is less, may be carried forward to

1385 the following ~~state~~ fiscal year. All ~~amounts carried forward,~~

1386 ~~for audit purposes, must be specifically identified for~~

1387 ~~particular students, by student name and the name of the school~~

1388 ~~to which the student is admitted, subject to the requirements of~~

1389 ~~ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g, and the~~

1390 ~~applicable rules and regulations issued pursuant thereto. Any~~

1391 amounts carried forward shall be expended for annual or partial-

1392 year scholarships in the following ~~state~~ fiscal year. Eligible

1393 contributions remaining on June 30 of each year that are in

1394 excess of the 15 ~~25~~ percent that may be carried forward shall be

1395 ~~used to provide scholarships to eligible students or transferred~~

1396 to other eligible nonprofit scholarship-funding organizations to

1397 provide scholarships for eligible students. All transferred

1398 funds must be deposited by each eligible nonprofit scholarship-

1399 funding organization receiving such funds into its scholarship

1400 account. All transferred amounts received by any eligible

1401 nonprofit scholarship-funding organization must be separately
1402 disclosed in the annual financial audit required under paragraph
1403 (o). For purposes of this subparagraph and subparagraph 3., the
1404 term "disburse" means to pay scholarship funds to students
1405 verified as eligible in accordance with subsection (7).

1406 3. Must disburse 100 percent of all eligible contributions
1407 carried forward from the prior fiscal year, including eligible
1408 contributions transferred pursuant to subparagraph 2., for
1409 scholarships during the following fiscal year.

1410 4. Must, before awarding ~~granting~~ a scholarship for an
1411 academic year, document each scholarship student's eligibility
1412 for that academic year. A scholarship-funding organization may
1413 not grant multiyear scholarships in one approval process.

1414 (p) Must prepare and submit quarterly reports to the
1415 Department of Education pursuant to paragraph (9)(i). Within 30
1416 days after receipt of the quarterly report, the Department of
1417 Education shall submit a copy of the quarterly report to the
1418 Legislature ~~In addition, an eligible nonprofit scholarship-~~
1419 ~~funding organization must submit in a timely manner the verified~~
1420 ~~list of eligible scholarship students and any information~~
1421 ~~requested by the Department of Education relating to the~~
1422 ~~scholarship program.~~

1423 (q)1.a. Must participate in the joint development of
1424 agreed-upon procedures during the 2025-2026 ~~2009-2010~~ state
1425 fiscal year. The agreed-upon procedures must uniformly apply to

1426 | all private schools and must determine, at a minimum, whether
 1427 | the private school has been verified as eligible by the
 1428 | Department of Education under s. 1002.421; has an adequate
 1429 | accounting system, system of financial controls, process for
 1430 | verifying student attendance, and process for deposit and
 1431 | classification of scholarship funds; and has properly expended
 1432 | scholarship funds for education-related expenses. During the
 1433 | development of the procedures, the participating scholarship-
 1434 | funding organizations shall specify guidelines governing the
 1435 | materiality of exceptions that may be found during the
 1436 | accountant's performance of the procedures. The procedures and
 1437 | guidelines shall be provided to private schools and the
 1438 | Commissioner of Education by March 15, 2026 ~~2011~~.

1439 | b. Must participate in a joint review of the agreed-upon
 1440 | procedures and guidelines developed under sub-subparagraph a.,
 1441 | by February of each biennium, if the scholarship-funding
 1442 | organization provided more than \$250,000 in scholarship funds
 1443 | under this chapter during the state fiscal year preceding the
 1444 | biennial review. If the procedures and guidelines are revised,
 1445 | the revisions must be provided to private schools and the
 1446 | Commissioner of Education by March 15 of the year in which the
 1447 | revisions were completed. The revised agreed-upon procedures and
 1448 | guidelines shall take effect the subsequent school year.

1449 | c. Must monitor the compliance of an eligible a
 1450 | ~~participating~~ private school with s. 1002.421(1)(q) if the

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1451 scholarship-funding organization provided the majority of the
1452 scholarship funding to the school. For each eligible
1453 ~~participating~~ private school subject to s. 1002.421(1)(q), the
1454 appropriate scholarship-funding organization shall annually
1455 notify the Commissioner of Education by October 30 of:

1456 (I) A private school's failure to submit a report required
1457 under s. 1002.421(1)(q); or

1458 (II) Any material exceptions set forth in the report
1459 required under s. 1002.421(1)(q).

1460 2. Must seek input from the accrediting associations that
1461 are members of the Florida Association of Academic Nonpublic
1462 Schools and the Department of Education when jointly developing
1463 the agreed-upon procedures and guidelines under sub-subparagraph
1464 1.a. and conducting a review of those procedures and guidelines
1465 under sub-subparagraph 1.b.

1466 (t)1. Must develop a purchasing handbook that includes
1467 policies for authorized uses of scholarship funds under
1468 paragraph (d) and s. 1002.394(4)(a). The handbook must include,
1469 at a minimum, a routinely updated list of prohibited items and
1470 services, and items or services that require preauthorization or
1471 additional documentation. Annually ~~By August 1, 2024, and by~~
1472 ~~each~~ July 1 ~~thereafter~~, the purchasing handbook must be provided
1473 to the Commissioner of Education and published on the eligible
1474 nonprofit scholarship-funding organization's website. Any
1475 revisions must be provided to the commissioner and published on

1476 the organization's website within 30 days after such revisions.

1477 2. The organization shall assist the Florida Center for
1478 Students with Unique Abilities established under s. 1004.6495
1479 with the development of purchasing guidelines, which must
1480 include a routinely updated list of prohibited items and
1481 services, and items or services for which preauthorization or
1482 additional documentation is required, for authorized uses of
1483 scholarship funds under s. 1002.394(4)(b) and publish the
1484 guidelines on the organization's website. Any approval or denial
1485 of items and services must be consistent with the purchasing
1486 guidelines developed by the center.

1487 3. If the organization fails to submit the purchasing
1488 handbook required by subparagraph 1., the Department of
1489 Education may assess a financial penalty, not to exceed \$10,000,
1490 as prescribed by State Board of Education rule. This
1491 subparagraph expires July 1, 2026.

1492 (x) ~~Beginning September 30, 2023,~~ Must submit to the
1493 Department of Education quarterly reports that provide the
1494 estimated and actual amounts of the net eligible contributions,
1495 as defined in subsection (2), and all funds carried forward from
1496 the prior state fiscal year. Within 30 days after receipt of the
1497 quarterly report, the Department of Education shall submit a
1498 copy of the quarterly report to the Legislature.

1499 (z) Must recover funds improperly received or retained by
1500 a private school. Funds are considered improperly received or

1501 retained when the private school verifies enrollment and
 1502 attendance of a student enrolled and in attendance at a public
 1503 school.

1504 (aa) Must use the standard request forms for withdrawal
 1505 provided by the Department of Education pursuant to s.
 1506 1002.394(8)(a)8.

1507
 1508 Information and documentation provided to the Department of
 1509 Education and the Auditor General relating to the identity of a
 1510 taxpayer that provides an eligible contribution under this
 1511 section shall remain confidential at all times in accordance
 1512 with s. 213.053.

1513 (7) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
 1514 PARTICIPATION.—

1515 (a) A parent who applies for a scholarship whose student
 1516 will be enrolled full time in an eligible private school must:

1517 1. Select an eligible private school and apply for the
 1518 admission of his or her child.

1519 ~~2. Request the scholarship by the date established by the~~
 1520 ~~organization in a manner that creates a written or electronic~~
 1521 ~~record of the request and the date of receipt of the request.~~

1522 2.3.a. Beginning with new applications for the 2025-2026
 1523 school year and thereafter, comply with the application process
 1524 established in paragraph (6)(d) and notify the nonprofit
 1525 scholarship-funding organization that the scholarship is being

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1526 accepted by July 1 to be eligible for the first quarter payment,
1527 by September 1 to be eligible for the second quarter payment,
1528 and by December 1 to be eligible for the third quarter payment.

1529 All notifications must include confirmation of the student's
1530 admission acceptance at an eligible private school pursuant to
1531 subsection (8). A scholarship is deemed declined if notification
1532 is not received by December 1 ~~notify the organization by a date~~
1533 ~~set by the organization that the scholarship is being accepted~~
1534 ~~or declined.~~

1535 b. Beginning with renewal applications for the 2025-2026
1536 school year and thereafter, notify the organization by May 31
1537 that the scholarship is being renewed by submitting all required
1538 documentation, including confirmation of the student's admission
1539 acceptance at an eligible private school pursuant to subsection
1540 (8). A scholarship is deemed ~~or~~ declined if notification is not
1541 received by May 31.

1542 ~~3.4.~~ Inform the applicable school district when the parent
1543 withdraws his or her student from a public school to attend an
1544 eligible private school.

1545 ~~4.5.~~ Require his or her student participating in the
1546 program to remain in attendance at the eligible private school
1547 throughout the school year unless excused by the school for
1548 illness or other good cause and comply with the private school's
1549 published policies.

1550 ~~5.6.~~ Meet with the eligible private school's principal or

1551 the principal's designee to review the school's academic
1552 programs and policies, specialized services, code of student
1553 conduct, and attendance policies before enrollment.

1554 6.7. Require his or her student participating in the
1555 program to take the norm-referenced assessment offered by the
1556 eligible ~~participating~~ private school. The parent may also
1557 choose to have the student participate in the statewide
1558 assessments pursuant to s. 1008.22. If the parent requests that
1559 the student participating in the program take statewide
1560 assessments pursuant to s. 1008.22 and the eligible
1561 ~~participating~~ private school has not chosen to offer and
1562 administer the statewide assessments, the parent is responsible
1563 for transporting the student to the assessment site designated
1564 by the school district.

1565 7.8. Approve each quarterly payment established in
1566 paragraph (11) (b) before the scholarship funds may be deposited
1567 by funds transfer. The parent may not designate any entity or
1568 individual associated with the eligible ~~participating~~ private
1569 school as the parent's attorney in fact to approve a funds
1570 transfer. A participant who fails to comply with this paragraph
1571 forfeits the scholarship.

1572 8.9. Authorize the nonprofit scholarship-funding
1573 organization to access information needed for income eligibility
1574 determination and verification held by other state or federal
1575 agencies, including the Department of Revenue, the Department of

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1576 Children and Families, the Department of Education, the
1577 Department of Commerce, and the Agency for Health Care
1578 Administration, for students seeking priority eligibility.

1579 ~~9.10.~~ 9.10. Agree to have the organization commit scholarship
1580 funds on behalf of his or her student for tuition and fees for
1581 which the parent is responsible for payment at the eligible
1582 ~~participating~~ private school before using scholarship account
1583 funds for additional authorized uses under paragraph (6) (d). A
1584 parent is responsible for all eligible expenses in excess of the
1585 amount of the scholarship.

1586 ~~10.11.~~ 10.11. Comply with the scholarship application and renewal
1587 processes and requirements established by this section ~~the~~
1588 ~~organization.~~

1589 (b) A parent whose student will not be enrolled full time
1590 in a public or private school must:

1591 1. ~~Apply to an eligible nonprofit scholarship-funding~~
1592 ~~organization to participate in the program as a personalized~~
1593 ~~education student by a date set by the organization. The request~~
1594 ~~must be communicated directly to the organization in a manner~~
1595 ~~that creates a written or electronic record of the request and~~
1596 ~~the date of receipt of the request.~~ Beginning with new and
1597 renewal applications for the 2025-2026 school year and
1598 thereafter, comply with the application process established in
1599 paragraph (6) (e) ~~a parent must notify the organization by May 31~~
1600 ~~that the scholarship is being accepted, renewed, or declined.~~

1601 2. Sign an agreement with the organization and annually
1602 submit a sworn compliance statement to the organization to
1603 satisfy or maintain program eligibility, including eligibility
1604 to receive and spend program payments, by:

1605 a. Affirming that the program funds are used only for
1606 authorized purposes serving the student's educational needs, as
1607 described in paragraph (6)(d), and that they will not receive a
1608 payment, refund, or rebate of any funds provided under this
1609 section.

1610 b. Affirming that the parent is responsible for all
1611 eligible expenses in excess of the amount of the scholarship and
1612 for the education of his or her student.

1613 c. Submitting a student learning plan to the organization
1614 and revising the plan ~~at least annually~~ before program renewal.

1615 d. Requiring his or her student to take a nationally norm-
1616 referenced test identified by the Department of Education, or a
1617 statewide assessment under s. 1008.22, and provide assessment
1618 results to the organization before the student's program
1619 renewal.

1620 e. Complying with the scholarship application and renewal
1621 processes and requirements established by this section ~~the~~
1622 ~~organization~~. A student whose participation in the program is
1623 not renewed may continue to spend scholarship funds that are in
1624 his or her account from prior years unless the account must be
1625 closed pursuant to s. 1002.394(5)(a)2.

1626 f. Procuring the services necessary to educate the
1627 student. When the student receives a scholarship, the district
1628 school board is not obligated to provide the student with a free
1629 appropriate public education.

1630
1631 For purposes of this paragraph, full-time enrollment does not
1632 include enrollment at a private school that addresses regular
1633 and direct contact with teachers through the student learning
1634 plan in accordance with s. 1002.421(1)(i).

1635
1636 An eligible nonprofit scholarship-funding organization may not
1637 further regulate, exercise control over, or require
1638 documentation beyond the requirements of this subsection unless
1639 the regulation, control, or documentation is necessary for
1640 participation in the program.

1641 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of
1642 Education shall:

1643 (d) 1. Assign a Florida student identification number to
1644 each eligible scholarship student if the student has not
1645 previously been assigned a Florida student identification
1646 number.

1647 2. For parents in compliance with paragraph (7)(a), cross-
1648 check each eligible nonprofit scholarship-funding organization's
1649 ~~Notify eligible nonprofit scholarship-funding organizations of~~
1650 ~~the deadlines for submitting the verified list of eligible~~

1651 scholarship students to receive a quarterly payment pursuant to
1652 paragraph (11)(b) and the full-time equivalent student
1653 membership survey data pursuant to s. 1011.62(1)(a), to verify
1654 that the school district has not also reported the student as a
1655 public school student. If both the organization and a school
1656 district have reported the same full-time equivalent student for
1657 funding, the Department of Education must use the most recent
1658 student attendance records and reports data collected pursuant
1659 to s. 1003.23 to resolve the reporting duplication. The
1660 organization may not release scholarship funds until the
1661 reporting duplication has been resolved; ~~cross-check the~~
1662 ~~verified list with the public school enrollment lists to avoid~~
1663 ~~duplication; and, when the Florida Education Finance Program is~~
1664 ~~recalculated, adjust the amount of state funds allocated to~~
1665 ~~school districts through the Florida Education Finance Program~~
1666 ~~based upon the results of the cross-check.~~

1667 3. For parents in compliance with paragraph (7)(b), cross-
1668 check most recent student attendance records and reports data
1669 collected pursuant to s. 1003.23 and the full-time equivalent
1670 student membership survey data pursuant to s. 1011.62(1)(a); the
1671 most recent home education program data pursuant to s. 1002.41;
1672 and the most recent private school data pursuant to s. 1002.42
1673 before the eligible nonprofit scholarship-funding organization's
1674 release of each quarterly payment established in subsection
1675 (11). If the cross-check results in a student also being

1676 reported by a school district or a private school or registered
 1677 in a home education program pursuant to s. 1002.41, the
 1678 Department of Education must resolve the reporting duplication.
 1679 The organization may not release scholarship funds until the
 1680 reporting duplication has been resolved.

1681 (i) Require quarterly reports by an eligible nonprofit
 1682 scholarship-funding organization regarding the number of
 1683 students participating in the program; the private schools at
 1684 which the students are enrolled; the number of scholarship
 1685 applications received, the number of applications processed
 1686 within 30 days after receipt, and the number of incomplete
 1687 applications received; data related to reimbursement
 1688 submissions, including the average number of days for a
 1689 reimbursement to be reviewed and the average number of days for
 1690 a reimbursement to be approved; any parent input and feedback
 1691 collected regarding the program; and any other information
 1692 deemed necessary by the Department of Education. Within 30 days
 1693 after receipt of each quarterly report, the Department of
 1694 Education shall submit a copy of the report to the Legislature.

1695 (11) SCHOLARSHIP AMOUNT AND PAYMENT.—

1696 (b) Payment of the scholarship by the eligible nonprofit
 1697 scholarship-funding organization shall be by funds transfer,
 1698 including, but not limited to, debit cards, electronic payment
 1699 cards, or any other means of payment that the Department of
 1700 Education deems to be commercially viable or cost-effective.

1701 Before the deposit of scholarship funds into a student's
1702 account, his or her parent must approve the transfer of funds ~~An~~
1703 ~~eligible nonprofit scholarship-funding organization shall ensure~~
1704 ~~that the parent has approved a funds transfer before any~~
1705 ~~scholarship funds are deposited.~~

1706 (c) 1.a. If a scholarship student is attending an eligible
1707 private school full time, the first quarterly ~~initial~~ payment
1708 shall be made after the organization's verification of admission
1709 acceptance and the Department of Education's completion of the
1710 cross-check required under subsection (9). ~~and~~

1711 b. Subsequent quarterly payments shall be made upon
1712 verification of continued enrollment and attendance at the
1713 eligible private school and completion of the cross-check
1714 required under subsection (9).

1715 c. Payments shall be made within 7 business days after
1716 approval by the parent pursuant to paragraph (7) (a) and the
1717 private school pursuant to paragraph (8) (b).

1718 2. If a scholarship student is not attending a private
1719 school, all quarterly payments shall be made after the
1720 organization's verification of eligibility and the Department of
1721 Education's completion of the cross-check required under
1722 subsection (9).

1723 (d) 1. For new scholarship students and renewing
1724 scholarship students not enrolled in a private school, payment
1725 of the scholarship shall be made by the eligible nonprofit

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1726 scholarship-funding organization on September 1, November 1,
1727 February 1, and April 1 of each school year in which the
1728 scholarship is in force ~~no less frequently than on a quarterly~~
1729 ~~basis.~~

1730 2. For renewing scholarship students enrolled in a private
1731 school, payment of the scholarship shall be made by the eligible
1732 nonprofit scholarship-funding organization on August 1, November
1733 1, February 1, and April 1 of each school year in which the
1734 scholarship is in force.

1735 **Section 4. Paragraph (a) of subsection (3) of section**
1736 **1002.421, Florida Statutes, is amended to read:**

1737 1002.421 State school choice scholarship program
1738 accountability and oversight.—

1739 (3) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—
1740 The Commissioner of Education:

1741 (a) Shall deny, suspend, or revoke a private school's
1742 participation in a scholarship program if it is determined that
1743 the private school has failed to comply with this section, has
1744 failed to reimburse a scholarship-funding organization for funds
1745 improperly received, or exhibits a previous pattern of failure
1746 to comply. However, if the noncompliance is correctable within a
1747 reasonable amount of time, not to exceed 45 days, and if the
1748 health, safety, or welfare of the students is not threatened,
1749 the commissioner may issue a notice of noncompliance which
1750 provides the private school with a timeframe within which to

1751 provide evidence of compliance before taking action to suspend
 1752 or revoke the private school's participation in the scholarship
 1753 program.

1754 **Section 5. Subsection (2) of section 1008.386, Florida**
 1755 **Statutes, is amended to read:**

1756 1008.386 Florida student identification.—

1757 (2) The department shall establish a process for assigning
 1758 a unique Florida student identification number to each student
 1759 in the state, including students participating in a state
 1760 scholarship program under chapter 1002. ~~at which time~~ A school
 1761 district and an eligible nonprofit scholarship-funding
 1762 organization administering the state scholarship program
 1763 pursuant to chapter 1002 may not use social security numbers as
 1764 student identification numbers ~~in its management information~~
 1765 ~~systems.~~

1766 **Section 6. Section 1010.305, Florida Statutes, is amended**
 1767 **to read:**

1768 1010.305 Audit of students funded in the Florida Education
 1769 Finance Program ~~student enrollment.~~—

1770 (1) The Auditor General shall annually ~~periodically~~
 1771 examine the records of school districts and eligible
 1772 scholarship-funding organizations administering a state
 1773 scholarship program pursuant to chapter 1002, ~~and other agencies~~
 1774 ~~as appropriate,~~ to determine compliance with law and State Board
 1775 of Education rules relating to the classification, assignment,

1776 and verification of full-time equivalent students ~~student~~
1777 ~~enrollment~~ and student transportation reported for funding in
1778 ~~under~~ the Florida Education Finance Program.

1779 (2) If it is determined that the approved criteria and
1780 procedures for the placement and reporting of full-time
1781 equivalent students and the conduct of programs have not been
1782 followed by the district or the scholarship-funding
1783 organization, appropriate adjustments in the full-time
1784 equivalent student count for that district and scholarship-
1785 funding organization must be made, and any excess funds must be
1786 deducted from subsequent allocations of state funds to that
1787 district or scholarship-funding organization. As provided for by
1788 rule, if errors in a specific program of a district or a
1789 scholarship-funding organization recur in consecutive years due
1790 to lack of corrective action by the district or the scholarship-
1791 funding organization, adjustments may be made based upon
1792 statistical estimates of error projected to the overall district
1793 or scholarship-funding organization program.

1794 **Section 7. Section 1011.61, Florida Statutes, is amended**
1795 **to read:**

1796 1011.61 Definitions.—Notwithstanding the provisions of s.
1797 1000.21, the following terms are defined as follows for the
1798 purposes of the Florida Education Finance Program:

1799 (1) A "full-time equivalent student" in each program of
1800 the district is defined in terms of full-time students and part-

1801 time students as follows:

1802 (a) A "full-time student" is one student on the membership
1803 roll of one school program or a combination of school programs
1804 listed in s. 1011.62(1)(c) for the school year or the equivalent
1805 for:

1806 1. Instruction in a standard school, comprising not less
1807 than 900 net hours for a student in or at the grade level of 4
1808 through 12, or not less than 720 net hours for a student in or
1809 at the grade level of kindergarten through grade 3 or in an
1810 authorized prekindergarten exceptional program; or

1811 2. Instruction comprising the appropriate number of net
1812 hours set forth in subparagraph 1. for students who, within the
1813 past year, have moved with their parents for the purpose of
1814 engaging in the farm labor or fish industries, if a plan
1815 furnishing such an extended school day or week, or a combination
1816 thereof, has been approved by the commissioner. Such plan may be
1817 approved to accommodate the needs of migrant students only or
1818 may serve all students in schools having a high percentage of
1819 migrant students. The plan described in this subparagraph is
1820 optional for any school district and is not mandated by the
1821 state.

1822 (b) A "part-time student" is a student on the active
1823 membership roll of a school program or combination of school
1824 programs listed in s. 1011.62(1)(c) who is less than a full-time
1825 student. A student who receives instruction in a school that

1826 operates for less than the minimum term shall generate full-time
1827 equivalent student membership proportional to the amount of
1828 instructional hours provided by the school divided by the
1829 minimum term requirement as provided in s. 1011.60(2).

1830 (c)1. A "full-time equivalent student" is:

1831 a. A full-time student in any one of the programs listed
1832 in s. 1011.62(1)(c); or

1833 b. A combination of full-time or part-time students in any
1834 one of the programs listed in s. 1011.62(1)(c) which is the
1835 equivalent of one full-time student based on the following
1836 calculations:

1837 (I) A full-time student in a combination of programs
1838 listed in s. 1011.62(1)(c) shall be a fraction of a full-time
1839 equivalent membership in each special program equal to the
1840 number of net hours per school year for which he or she is a
1841 member, divided by the appropriate number of hours set forth in
1842 subparagraph (a)1. The difference between that fraction or sum
1843 of fractions and the maximum value as set forth in subsection
1844 (3) ~~(4)~~ for each full-time student is presumed to be the balance
1845 of the student's time not spent in a special program and shall
1846 be recorded as time in the appropriate basic program.

1847 (II) A prekindergarten student with a disability shall
1848 meet the requirements specified for kindergarten students.

1849 (III) A full-time equivalent student for students in
1850 kindergarten through grade 12 in a full-time virtual instruction

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1851 program under s. 1002.45 or a virtual charter school under s.
1852 1002.33 shall consist of six full-credit completions or the
1853 prescribed level of content that counts toward promotion to the
1854 next grade in programs listed in s. 1011.62(1)(c). Credit
1855 completions may be a combination of full-credit courses or half-
1856 credit courses.

1857 (IV) A full-time equivalent student for students in
1858 kindergarten through grade 12 in a part-time virtual instruction
1859 program under s. 1002.45 shall consist of six full-credit
1860 completions in programs listed in s. 1011.62(1)(c)1. and 3.
1861 Credit completions may be a combination of full-credit courses
1862 or half-credit courses.

1863 (V) A Florida Virtual School full-time equivalent student
1864 shall consist of six full-credit completions or the prescribed
1865 level of content that counts toward promotion to the next grade
1866 in the programs listed in s. 1011.62(1)(c)1. and 3. for students
1867 participating in kindergarten through grade 12 part-time virtual
1868 instruction and the programs listed in s. 1011.62(1)(c) for
1869 students participating in kindergarten through grade 12 full-
1870 time virtual instruction. Credit completions may be a
1871 combination of full-credit courses or half-credit courses.

1872 (VI) Each successfully completed full-credit course earned
1873 through an online course delivered by a district other than the
1874 one in which the student resides shall be calculated as 1/6
1875 FTE.

1876 (VII) A full-time equivalent student for courses requiring
1877 passage of a statewide, standardized end-of-course assessment
1878 under s. 1003.4282 to earn a standard high school diploma shall
1879 be defined and reported based on the number of instructional
1880 hours as provided in this subsection.

1881 (VIII) For students enrolled in a school district as a
1882 full-time student, the district may report 1/6 FTE for each
1883 student who passes a statewide, standardized end-of-course
1884 assessment without being enrolled in the corresponding course.

1885 2. A student in membership in a program scheduled for more
1886 or less than 180 school days or the equivalent on an hourly
1887 basis as specified by rules of the State Board of Education is a
1888 fraction of a full-time equivalent membership equal to the
1889 number of instructional hours in membership divided by the
1890 appropriate number of hours set forth in subparagraph (a)1.;
1891 however, for the purposes of this subparagraph, membership in
1892 programs scheduled for more than 180 days is limited to students
1893 enrolled in:

- 1894 a. Juvenile justice education programs.
- 1895 b. The Florida Virtual School.
- 1896 c. Virtual instruction programs and virtual charter
1897 schools for the purpose of course completion and credit recovery
1898 pursuant to ss. 1002.45 and 1003.498. Course completion applies
1899 only to a student who is reported during the second or third
1900 membership surveys and who does not complete a virtual education

1901 course by the end of the regular school year. The course must be
 1902 completed no later than the deadline for amending the final
 1903 student enrollment survey for that year. Credit recovery applies
 1904 only to a student who has unsuccessfully completed a traditional
 1905 or virtual education course during the regular school year and
 1906 must retake the course in order to be eligible to graduate with
 1907 the student's class.

1908
 1909 The full-time equivalent student enrollment calculated under
 1910 this subsection is subject to the requirements in subsection (3)
 1911 ~~(4)~~.

1912
 1913 The department shall determine and implement an equitable method
 1914 of equivalent funding for schools operating under emergency
 1915 conditions, which schools have been approved by the department
 1916 to operate for less than the minimum term as provided in s.
 1917 1011.60 (2) .

1918 ~~(2) A "full-time equivalent student" is a student in~~
 1919 ~~grades 4 through 8 who is participating in a student-teacher~~
 1920 ~~adviser program conducted during homeroom period, who is a~~
 1921 ~~fraction of a full-time equivalent membership based on net hours~~
 1922 ~~in the program, with a maximum of 36 net hours in any fiscal~~
 1923 ~~year. Each district program shall be approved by the Department~~
 1924 ~~of Education.~~

1925 (2)(3) For the purpose of calculating the Florida

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1926 | Education Finance Program, ~~"current operation program,"~~ a
1927 | student is in membership until he or she withdraws or until the
1928 | close of the 11th consecutive school day of his or her absence,
1929 | whichever comes first.

1930 | (3)~~(4)~~ The maximum value for funding a student in
1931 | kindergarten through grade 12 or in a prekindergarten program
1932 | for exceptional children as provided in s. 1003.21(1)(e) shall
1933 | be the sum of the calculations in paragraphs (a), (b), and (c)
1934 | as calculated by the department.

1935 | (a) The sum of the student's full-time equivalent student
1936 | membership value for the school year or the equivalent derived
1937 | from paragraphs (1)(a) and (b), subparagraph (1)(c)1., and sub-
1938 | subparagraphs (1)(c)2.b. and c., ~~and subsection (2)~~. If the sum
1939 | is greater than 1.0, the full-time equivalent student membership
1940 | value for each program or course shall be reduced by an equal
1941 | proportion so that the student's total full-time equivalent
1942 | student membership value is equal to 1.0.

1943 | (b) If the result in paragraph (a) is less than 1.0 full-
1944 | time equivalent student and the student has full-time equivalent
1945 | student enrollment pursuant to sub-sub-subparagraph
1946 | (1)(c)1.b.(VIII), calculate an amount that is the lesser of the
1947 | value in sub-sub-subparagraph (1)(c)1.b.(VIII) or the value of
1948 | 1.0 less the value in paragraph (a).

1949 | (c) The full-time equivalent student enrollment value in
1950 | sub-subparagraph (1)(c)2.a.

1951 ~~(4)-(5)~~ The "Florida Education Finance Program" includes
 1952 all programs and costs as provided in ss. 1003.03, 1011.62,
 1953 1011.68, and 1011.685 and shall be used exclusively for current
 1954 operation.

1955 ~~(6) "Basic programs" include, but are not limited to,~~
 1956 ~~language arts, mathematics, art, music, physical education,~~
 1957 ~~science, and social studies.~~

1958 **Section 8. Subsection (1), paragraph (b) of subsection**
 1959 **(2), paragraph (a) of subsection (4), subsection (5), paragraphs**
 1960 **(a) and (c) of subsection (7), subsection (8), paragraph (a) of**
 1961 **subsection (9), and subsections (12), (13), and (15) through**
 1962 **(18) of section 1011.62, Florida Statutes, are amended, and**
 1963 **paragraph (c) is added to subsection (6) of that section, to**
 1964 **read:**

1965 1011.62 Funds for operation of schools.—If the annual
 1966 allocation from the Florida Education Finance Program to each
 1967 district for operation of schools is not determined in the
 1968 annual appropriations act or the substantive bill implementing
 1969 the annual appropriations act, it shall be determined as
 1970 follows:

1971 (1) COMPUTATION OF THE BASE FLORIDA EDUCATION FINANCE
 1972 PROGRAM BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following
 1973 procedure shall be followed in determining the base Florida
 1974 Education Finance Program for annual allocation to each district
 1975 for operation:

1976 (a) 1. Determination of full-time equivalent membership.—
1977 During the fiscal year ~~each of several school weeks~~, including
1978 scheduled intersessions of a year-round school program during
1979 the fiscal year, each district shall complete four full-time
1980 equivalent ~~a program membership surveys~~ survey of each school
1981 ~~shall be made by each district~~ by aggregating the full-time
1982 equivalent student membership of each program by school ~~and by~~
1983 ~~district~~.

1984 a. Survey 1 shall cover the period from the beginning of
1985 the fiscal year to the beginning of the defined 180-day school
1986 year. Survey 1 shall be conducted in the first full week of
1987 July, and all districts shall report their survey data to the
1988 department within 1 week after the completion of the survey.
1989 Districts shall report all final amended survey data to the
1990 department by September 30.

1991 b. Survey 2 shall cover the first 90 days of the 180-day
1992 school year. Survey 2 shall be conducted in the third full week
1993 of September, and all districts shall report their survey data
1994 to the department within 1 week after the completion of the
1995 survey. Districts shall report all final amended survey data to
1996 the department by November 30.

1997 c. Survey 3 shall cover the second 90 days of the 180-day
1998 school year. Survey 3 shall be conducted in the third full week
1999 of January, and all districts shall report their survey data to
2000 the department within 1 week after the completion of the survey.

2001 Districts shall report all final amended survey data to the
2002 department by March 30.

2003 d. Survey 4 shall cover the period from the end of the
2004 180-day school year to the end of the fiscal year. Survey 4
2005 shall be conducted in the third full week of June, and districts
2006 shall report their survey data to the department within 1 week
2007 after completion of the survey. Districts shall report all final
2008 amended survey data to the department by August 15 ~~The~~
2009 ~~department shall establish the number and interval of membership~~
2010 ~~calculations, except that for basic and special programs such~~
2011 ~~calculations shall not exceed nine for any fiscal year. The~~
2012 ~~district's full-time equivalent membership shall be computed and~~
2013 ~~currently maintained in accordance with regulations of the~~
2014 ~~commissioner.~~

2015 2. All final reported full-time equivalent survey data
2016 must include the unduplicated count of both school district
2017 full-time equivalent students and full-time equivalent Family
2018 Empowerment Scholarship students.

2019 (b) Determination of base student allocation.—The base
2020 student allocation for the Florida Education Finance Program for
2021 kindergarten through grade 12 shall be determined annually by
2022 the Legislature and shall be that amount prescribed in the
2023 current year's General Appropriations Act.

2024 (c) Determination of programs.—Cost factors based on
2025 desired relative cost differences between the following programs

2026 shall be established in the annual General Appropriations Act.
 2027 The cost factor for secondary career education programs must be
 2028 greater than the cost factor for basic programs grade 9 through
 2029 12. The Commissioner of Education shall specify a matrix of
 2030 services and intensity levels to be used by districts in the
 2031 determination of the two weighted cost factors for exceptional
 2032 students with the highest levels of need. For these students,
 2033 the funding support level shall fund the exceptional students'
 2034 education program, with the exception of extended school year
 2035 services for students with disabilities.

- 2036 1. Basic programs.—
- 2037 a. Kindergarten and grades 1, 2, and 3.
- 2038 b. Grades 4, 5, 6, 7, and 8.
- 2039 c. Grades 9, 10, 11, and 12.
- 2040 2. Programs for exceptional students.—
- 2041 a. Support Level IV.
- 2042 b. Support Level V.
- 2043 3. Secondary career education programs.
- 2044 4. English for Speakers of Other Languages.

2045 (d) Funding model for exceptional student education
 2046 programs.—The funding model for exceptional student education
 2047 programs shall include all of the following:

- 2048 1. For programs for exceptional students in support levels
 2049 IV and V as established in paragraph (c), the funding model
 2050 shall include program cost factors.

2051 a. Exceptional education cost factors are determined by
2052 using a matrix of services to document the services that each
2053 support level IV and support level V exceptional student will
2054 receive. The nature and intensity of the services indicated on
2055 the matrix shall be consistent with the services described in
2056 each exceptional student's individual educational plan.

2057 b. In order to generate funds using one of the two
2058 weighted cost factors, a matrix of services must be completed at
2059 the time of the student's initial placement into an exceptional
2060 student education program and at least once every 3 years by
2061 personnel who have received approved training. Nothing listed in
2062 the matrix shall be construed as limiting the services a school
2063 district must provide in order to ensure that exceptional
2064 students are provided a free, appropriate public education.

2065 2. For students identified as exceptional in accordance
2066 with chapter 6A-6, Florida Administrative Code, who do not have
2067 a matrix of services as specified in subparagraph 1. and for
2068 students who are gifted in grades kindergarten through 8, the
2069 funding model shall include the funds generated on the basis of
2070 full-time equivalent student membership in the Florida Education
2071 Finance Program at the same funding level per student as
2072 provided for a basic student and additional funds provided by
2073 the exceptional student education guaranteed allocation
2074 established pursuant to subsection (8).

2075 3. For school districts with a full-time equivalent

2076 student membership of fewer than 10,000 and fewer than three
2077 full-time equivalent students in exceptional student education
2078 support levels IV and V, in addition to the program cost factors
2079 established in subparagraph 1., these students are eligible for
2080 the exceptional student education guaranteed allocation
2081 established pursuant to subsection (8).

2082 ~~(e) Calculation of additional full-time equivalent~~
2083 ~~membership for small school district exceptional student~~
2084 ~~education. An additional value per full-time equivalent student~~
2085 ~~membership is provided to school districts with a full-time~~
2086 ~~equivalent student membership of fewer than 10,000 and fewer~~
2087 ~~than three full-time equivalent students in exceptional student~~
2088 ~~education support levels IV and V. The Department of Education~~
2089 ~~shall set the amount of the additional value based on documented~~
2090 ~~evidence of the difference between the cost of the school~~
2091 ~~district's exceptional student education support levels IV and V~~
2092 ~~services and the applicable Florida Education Finance Program~~
2093 ~~funds appropriated in the General Appropriations Act. The total~~
2094 ~~statewide value may not exceed a value per weighted full-time~~
2095 ~~equivalent student as specified in the General Appropriations~~
2096 ~~Act. The additional value for an eligible school district shall~~
2097 ~~not exceed three full-time equivalent students for each of the~~
2098 ~~exceptional student education support levels IV and V.~~

2099 ~~(e)-(f)~~ (e) Small district factor.—An additional value per
2100 full-time equivalent student membership is provided to each

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2101 school district with a full-time equivalent student membership
2102 of fewer than 20,000 full-time equivalent students which is in a
2103 fiscally constrained county as described in s. 218.67(1). The
2104 amount of the additional value shall be specified in the General
2105 Appropriations Act.

2106 (f)~~(g)~~ Education for speakers of other languages.—A school
2107 district or a full-time virtual instruction program is eligible
2108 to report full-time equivalent student membership in the ESOL
2109 program in the Florida Education Finance Program provided the
2110 following conditions are met:

2111 1. The school district or the full-time virtual
2112 instruction program has a plan approved by the Department of
2113 Education.

2114 2. The eligible student is identified and assessed as
2115 limited English proficient based on assessment criteria.

2116 3.a. An eligible student may be reported for funding in
2117 the ESOL program for a base period of 3 years. However, a
2118 student whose English competency does not meet the criteria for
2119 proficiency after 3 years in the ESOL program may be reported
2120 for a fourth, fifth, and sixth year of funding, provided his or
2121 her limited English proficiency is assessed and properly
2122 documented prior to his or her enrollment in each additional
2123 year beyond the 3-year base period.

2124 b. If a student exits the program and is later
2125 reclassified as limited English proficient, the student may be

2126 reported in the ESOL program for funding for an additional year,
2127 or extended annually for a period not to exceed a total of 6
2128 years pursuant to this paragraph, based on an annual evaluation
2129 of the student's status.

2130 4. An eligible student may be reported for funding in the
2131 ESOL program for membership in ESOL instruction in English and
2132 ESOL instruction or home language instruction in the basic
2133 subject areas of mathematics, science, social studies, and
2134 computer literacy.

2135 (g)~~(h)~~ Small, isolated schools.—Districts that levy the
2136 maximum nonvoted discretionary millage, exclusive of millage for
2137 capital outlay purposes levied pursuant to s. 1011.71(2), may
2138 calculate full-time equivalent students for small, isolated
2139 district-operated schools by multiplying the number of
2140 unweighted full-time equivalent students times 2.75. The
2141 following schools may be considered small, isolated schools
2142 under this paragraph:

2143 1. A high school that is located at least 28 miles by the
2144 shortest route from another high school; has been serving
2145 students primarily in basic studies provided by sub-
2146 subparagraphs (c)1.b. and c. and may include subparagraph (c)4.;
2147 and has a membership of at least 28, but no more than 100,
2148 students in grades 9 through 12; or

2149 2. A district elementary school with a grade configuration
2150 of kindergarten through grade 5, but which may also include

2151 prekindergarten, grade 6, grade 7, or grade 8, that is located
2152 at least 35 miles by the shortest route from another elementary
2153 school within the district; has been serving students primarily
2154 in basic studies provided by sub-subparagraphs (c)1.a. and b.
2155 and may include subparagraph (c)4.; has a student population in
2156 which 75 percent or greater of students are eligible for free
2157 and reduced-price school lunch; and has a membership of at least
2158 28, but no more than 100, students.

2159 (h)~~(i)~~ Calculation of full-time equivalent membership with
2160 respect to dual enrollment instruction.—

2161 1. Full-time equivalent students.—Students enrolled in
2162 dual enrollment instruction pursuant to s. 1007.271 may be
2163 included in calculations of full-time equivalent student
2164 memberships for basic programs for grades 9 through 12 by a
2165 district school board. Instructional time for dual enrollment
2166 may vary from 900 hours; however, the full-time equivalent
2167 student membership value shall be subject to the provisions in
2168 s. 1011.61(3) ~~s. 1011.61(4)~~. Dual enrollment full-time
2169 equivalent student membership shall be calculated in an amount
2170 equal to the hours of instruction that would be necessary to
2171 earn the full-time equivalent student membership for an
2172 equivalent course if it were taught in the school district.
2173 Students in dual enrollment courses may also be calculated as
2174 the proportional shares of full-time equivalent enrollments they
2175 generate for a Florida College System institution or university

2176 conducting the dual enrollment instruction. Early admission
2177 students shall be considered dual enrollments for funding
2178 purposes. Students may be enrolled in dual enrollment
2179 instruction provided by an eligible independent college or
2180 university and may be included in calculations of full-time
2181 equivalent student memberships for basic programs for grades 9
2182 through 12 by a district school board. However, those provisions
2183 of law which exempt dual enrolled and early admission students
2184 from payment of instructional materials and tuition and fees,
2185 including laboratory fees, shall not apply to students who
2186 select the option of enrolling in an eligible independent
2187 institution. An independent college or university, which is not
2188 for profit, is accredited by a regional or national accrediting
2189 agency recognized by the United States Department of Education,
2190 and confers degrees as defined in s. 1005.02 shall be eligible
2191 for inclusion in the dual enrollment or early admission program.
2192 Students enrolled in dual enrollment instruction shall be exempt
2193 from the payment of tuition and fees, including laboratory fees.
2194 No student enrolled in college credit mathematics or English
2195 dual enrollment instruction shall be funded as a dual enrollment
2196 unless the student has successfully completed the relevant
2197 section of the entry-level examination required pursuant to s.
2198 1008.30.

2199 2. Additional full-time equivalent student membership.—For
2200 students enrolled in an early college program pursuant to s.

2201 1007.273, a value of 0.08 ~~0.16~~ full-time equivalent student
 2202 membership shall be calculated for each student who completes a
 2203 general education core course through the dual enrollment
 2204 program with a grade of "A" or better. For students who are not
 2205 enrolled in an early college program, a value of 0.04 ~~0.08~~ full-
 2206 time equivalent student membership shall be calculated for each
 2207 student who completes a general education core course through
 2208 the dual enrollment program with a grade of "A." A value of 0.04
 2209 ~~0.08~~ full-time equivalent student membership must be calculated
 2210 for each student who completes a career course through the dual
 2211 enrollment program with a grade of "A" in a pathway that leads
 2212 to an industry certification that is included on the CAPE
 2213 Industry Certification Funding List. In addition, a value of
 2214 0.15 ~~0.3~~ full-time equivalent student membership shall be
 2215 calculated for any student who receives an associate degree
 2216 through the dual enrollment program with a 3.0 grade point
 2217 average or better. This value shall be added to the total full-
 2218 time equivalent student membership in basic programs for grades
 2219 9 through 12 in the subsequent fiscal year. ~~This section shall~~
 2220 ~~be effective for credit earned by dually enrolled students for~~
 2221 ~~courses taken in the 2020-2021 school year and each school year~~
 2222 ~~thereafter. If the associate degree described in this paragraph~~
 2223 ~~is earned in 2020-2021 following completion of courses taken in~~
 2224 ~~the 2020-2021 school year, then courses taken toward the degree~~
 2225 ~~as part of the dual enrollment program before 2020-2021 may not~~

2226 ~~preclude eligibility for the 0.3 additional full-time equivalent~~
2227 ~~student membership bonus.~~ Each school district shall allocate at
2228 least 50 percent of the funds received from the dual enrollment
2229 bonus FTE funding, in accordance with this paragraph, to the
2230 schools that generated the funds to support student academic
2231 guidance and postsecondary readiness.

2232 3. Qualifying courses.—For the purposes of this paragraph,
2233 general education core courses are those that are identified in
2234 rule by the State Board of Education and in regulation by the
2235 Board of Governors pursuant to s. 1007.25(3).

2236 (i)~~(j)~~ Instruction in exploratory career education.—
2237 Students in grades 7 through 12 who are enrolled for more than
2238 four semesters in exploratory career education may not be
2239 counted as full-time equivalent students for this instruction.

2240 (j)~~(k)~~ Study hall.—A student who is enrolled in study hall
2241 may not be included in the calculation of full-time equivalent
2242 student membership for funding under this section.

2243 (k)~~(l)~~ Calculation of additional full-time equivalent
2244 membership based on International Baccalaureate examination
2245 scores of students.—A value of 0.08 ~~0.16~~ full-time equivalent
2246 student membership shall be calculated for each student enrolled
2247 in an International Baccalaureate course who receives a score of
2248 4 or higher on a subject examination. A value of 0.15 ~~0.3~~ full-
2249 time equivalent student membership shall be calculated for each
2250 student who receives an International Baccalaureate diploma.

2251 Such value shall be added to the total full-time equivalent
2252 student membership in basic programs for grades 9 through 12 in
2253 the subsequent fiscal year. Each school district shall allocate
2254 80 percent of the funds received from International
2255 Baccalaureate bonus FTE funding to the school program whose
2256 students generate the funds and to school programs that prepare
2257 prospective students to enroll in International Baccalaureate
2258 courses. Funds shall be expended solely for the payment of
2259 allowable costs associated with the International Baccalaureate
2260 program. Allowable costs include International Baccalaureate
2261 annual school fees; International Baccalaureate examination
2262 fees; salary, benefits, and bonuses for teachers and program
2263 coordinators for the International Baccalaureate program and
2264 teachers and coordinators who prepare prospective students for
2265 the International Baccalaureate program; supplemental books;
2266 instructional supplies; instructional equipment or instructional
2267 materials for International Baccalaureate courses; other
2268 activities that identify prospective International Baccalaureate
2269 students or prepare prospective students to enroll in
2270 International Baccalaureate courses; and training or
2271 professional learning for International Baccalaureate teachers.
2272 School districts shall allocate the remaining 20 percent of the
2273 funds received from International Baccalaureate bonus FTE
2274 funding for programs that assist academically disadvantaged
2275 students to prepare for more rigorous courses. The school

2276 district shall distribute to each classroom teacher who provided
 2277 International Baccalaureate instruction:

2278 1. A bonus in the amount of \$50 for each student taught by
 2279 the International Baccalaureate teacher in each International
 2280 Baccalaureate course who receives a score of 4 or higher on the
 2281 International Baccalaureate examination.

2282 2. An additional bonus of \$500 to each International
 2283 Baccalaureate teacher in a school designated with a grade of "D"
 2284 or "F" who has at least one student scoring 4 or higher on the
 2285 International Baccalaureate examination, regardless of the
 2286 number of classes taught or of the number of students scoring a
 2287 4 or higher on the International Baccalaureate examination.

2288
 2289 Bonuses awarded under this paragraph shall be in addition to any
 2290 regular wage or other bonus the teacher received or is scheduled
 2291 to receive. For such courses, the teacher shall earn an
 2292 additional bonus of \$50 for each student who has a qualifying
 2293 score.

2294 (1) ~~(m)~~ Calculation of additional full-time equivalent
 2295 membership based on Advanced International Certificate of
 2296 Education examination scores of students.—A value of 0.08 ~~0.16~~
 2297 full-time equivalent student membership shall be calculated for
 2298 each student enrolled in a full-credit Advanced International
 2299 Certificate of Education course who receives a score of E or
 2300 higher on a subject examination. A value of 0.04 ~~0.08~~ full-time

2301 equivalent student membership shall be calculated for each
 2302 student enrolled in a half-credit Advanced International
 2303 Certificate of Education course who receives a score of E or
 2304 higher on a subject examination. A value of 0.15 ~~0.3~~ full-time
 2305 equivalent student membership shall be calculated for each
 2306 student who receives an Advanced International Certificate of
 2307 Education diploma. Such value shall be added to the total full-
 2308 time equivalent student membership in basic programs for grades
 2309 9 through 12 in the subsequent fiscal year. Each school district
 2310 shall allocate at least 80 percent of the funds received from
 2311 the Advanced International Certificate of Education bonus FTE
 2312 funding, in accordance with this paragraph, to the school
 2313 program that generated the funds and to school programs
 2314 administered by the University of Cambridge Local Examinations
 2315 Syndicate that prepare prospective students to enroll in
 2316 Advanced International Certificate of Education courses. These
 2317 funds shall be expended solely for the payment of costs
 2318 associated with the application and registration process;
 2319 program fees and site licenses; training, professional learning,
 2320 salaries, benefits, and bonuses for instructional personnel and
 2321 program coordinators; examination and diploma fees; membership
 2322 fees; supplemental books; instructional supplies, materials, and
 2323 equipment; and other activities that identify prospective
 2324 Advanced International Certificate of Education students or
 2325 prepare prospective students to enroll in Advanced International

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2326 Certificate of Education courses. The school district shall
2327 distribute to each classroom teacher who provided Advanced
2328 International Certificate of Education or International General
2329 Certificate of Secondary Education (pre-AICE) instruction:

2330 1. A bonus in the amount of \$50 for each student taught by
2331 the Advanced International Certificate of Education teacher in
2332 each Advanced International Certificate of Education course who
2333 receives a score of E or higher on the Advanced International
2334 Certificate of Education examination. A bonus in the amount of
2335 \$25 for each student taught by the pre-AICE teacher in each pre-
2336 AICE course who receives a score of E or higher on the pre-AICE
2337 examination.

2338 2. An additional bonus of \$500 to each Advanced
2339 International Certificate of Education teacher in a school
2340 designated with a grade of "D" or "F" who has at least one
2341 student scoring E or higher on the Advanced International
2342 Certificate of Education examination, regardless of the number
2343 of classes taught or of the number of students scoring an E or
2344 higher on the Advanced International Certificate of Education
2345 examination.

2346 3. Additional bonuses of \$250 each to teachers of pre-AICE
2347 classes in a school designated with a grade of "D" or "F" which
2348 has at least one student scoring an E or higher on the pre-AICE
2349 examination in that class. Teachers receiving an award under
2350 subparagraph 2. are not eligible for a bonus under this

2351 subparagraph.

2352

2353 Bonuses awarded to a teacher according to this paragraph shall
 2354 be in addition to any regular wage or other bonus the teacher
 2355 received or is scheduled to receive.

2356 (m) ~~(n)~~ Calculation of additional full-time equivalent
 2357 membership based on college board advanced placement scores of
 2358 students and earning college board advanced placement capstone
 2359 diplomas.—A value of 0.08 ~~0.16~~ full-time equivalent student
 2360 membership shall be calculated for each student in each advanced
 2361 placement course who receives a score of 3 or higher on the
 2362 College Board Advanced Placement Examination for the prior year
 2363 and added to the total full-time equivalent student membership
 2364 in basic programs for grades 9 through 12 in the subsequent
 2365 fiscal year. A value of 0.15 ~~0.3~~ full-time equivalent student
 2366 membership shall be calculated for each student who receives a
 2367 College Board Advanced Placement Capstone Diploma and meets the
 2368 requirements for a standard high school diploma under s.
 2369 1003.4282. Such value shall be added to the total full-time
 2370 equivalent student membership in basic programs for grades 9
 2371 through 12 in the subsequent fiscal year. Each district must
 2372 allocate at least 80 percent of the funds provided to the
 2373 district for advanced placement instruction, in accordance with
 2374 this paragraph, to the high school that generates the funds. The
 2375 school district shall distribute to each classroom teacher who

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2376 provided advanced placement instruction:

2377 1. A bonus in the amount of \$50 for each student taught by
2378 the Advanced Placement teacher in each advanced placement course
2379 who receives a score of 3 or higher on the College Board
2380 Advanced Placement Examination.

2381 2. An additional bonus of \$500 to each Advanced Placement
2382 teacher in a school designated with a grade of "D" or "F" who
2383 has at least one student scoring 3 or higher on the College
2384 Board Advanced Placement Examination, regardless of the number
2385 of classes taught or of the number of students scoring a 3 or
2386 higher on the College Board Advanced Placement Examination.

2387
2388 Bonuses awarded under this paragraph shall be in addition to any
2389 regular wage or other bonus the teacher received or is scheduled
2390 to receive. For such courses, the teacher shall earn an
2391 additional bonus of \$50 for each student who has a qualifying
2392 score.

2393 (n)~~(e)~~ Calculation of additional full-time equivalent
2394 membership based on successful completion of a career-themed
2395 course pursuant to ss. 1003.491-1003.493, or courses with
2396 embedded CAPE industry certifications or CAPE Digital Tool
2397 certificates, and issuance of industry certification identified
2398 on the CAPE Industry Certification Funding List pursuant to
2399 rules adopted by the State Board of Education or CAPE Digital
2400 Tool certificates pursuant to s. 1003.4203.-

2401 1.a. A value of 0.0125 ~~0.025~~ full-time equivalent student
2402 membership shall be calculated for CAPE Digital Tool
2403 certificates earned by students in elementary and middle school
2404 grades.

2405 b. A value of 0.05 ~~0.1~~ or 0.1 ~~0.2~~ full-time equivalent
2406 student membership shall be calculated for each student who
2407 completes a course as defined in s. 1003.493(1)(b) or courses
2408 with embedded CAPE industry certifications and who is issued an
2409 industry certification identified annually on the CAPE Industry
2410 Certification Funding List approved under rules adopted by the
2411 State Board of Education. A value of 0.1 ~~0.2~~ full-time
2412 equivalent membership shall be calculated for each student who
2413 is issued a CAPE industry certification that has a statewide
2414 articulation agreement for college credit approved by the State
2415 Board of Education. For CAPE industry certifications that do not
2416 articulate for college credit, the Department of Education shall
2417 assign a full-time equivalent value of 0.05 ~~0.1~~ for each
2418 certification. Middle grades students who earn additional FTE
2419 membership for a CAPE Digital Tool certificate pursuant to sub-
2420 subparagraph a. may not rely solely on the previously funded
2421 examination to satisfy the requirements for earning an industry
2422 certification under this sub-subparagraph. The State Board of
2423 Education shall include the assigned values on the CAPE Industry
2424 Certification Funding List under rules adopted by the state
2425 board. Such value shall be added to the total full-time

2426 equivalent student membership for grades 6 through 12 in the
 2427 subsequent year. CAPE industry certifications earned through
 2428 dual enrollment must be reported and funded pursuant to s.
 2429 1011.80. However, if a student earns a certification through a
 2430 dual enrollment course and the certification is not a fundable
 2431 certification on the postsecondary certification funding list,
 2432 or the dual enrollment certification is earned as a result of an
 2433 agreement between a school district and a nonpublic
 2434 postsecondary institution, the bonus value shall be funded in
 2435 the same manner as other nondual enrollment course industry
 2436 certifications. In such cases, the school district may provide
 2437 for an agreement between the high school and the technical
 2438 center, or the school district and the postsecondary institution
 2439 may enter into an agreement for equitable distribution of the
 2440 bonus funds.

2441 c. A value of 0.15 ~~0.3~~ full-time equivalent student
 2442 membership shall be calculated for student completion of at
 2443 least three courses and an industry certification in a single
 2444 career and technical education program or program of study.

2445 d. A value of 0.25 ~~0.5~~ full-time equivalent student
 2446 membership shall be calculated for CAPE Acceleration Industry
 2447 Certifications that articulate for 15 to 29 college credit
 2448 hours, and 0.5 ~~1.0~~ full-time equivalent student membership shall
 2449 be calculated for CAPE Acceleration Industry Certifications that
 2450 articulate for 30 or more college credit hours pursuant to CAPE

2451 Acceleration Industry Certifications approved by the
 2452 commissioner pursuant to ss. 1003.4203(4) and 1008.44.

2453 2. Each district must allocate at least 80 percent of the
 2454 funds provided for CAPE industry certification, in accordance
 2455 with this paragraph, to the program that generated the funds,
 2456 and any remaining funds provided for CAPE industry certification
 2457 for school district career and technical education programs.
 2458 This allocation may not be used to supplant funds provided for
 2459 basic operation of the program.

2460 3. For CAPE industry certifications earned in the 2013-
 2461 2014 school year and in subsequent years, the school district
 2462 shall distribute to each classroom teacher who provided direct
 2463 instruction toward the attainment of a CAPE industry
 2464 certification that qualified for additional full-time equivalent
 2465 membership under subparagraph 1.:

2466 a. A bonus of \$25 for each student taught by a teacher who
 2467 provided instruction in a course that led to the attainment of a
 2468 CAPE industry certification on the CAPE Industry Certification
 2469 Funding List with a weight of 0.05 ~~0.1~~.

2470 b. A bonus of \$50 for each student taught by a teacher who
 2471 provided instruction in a course that led to the attainment of a
 2472 CAPE industry certification on the CAPE Industry Certification
 2473 Funding List with a weight of 0.1 ~~0.2~~.

2474 c. A bonus of \$75 for each student taught by a teacher who
 2475 provided instruction in a course that led to the attainment of a

2476 CAPE industry certification on the CAPE Industry Certification
 2477 Funding List with a weight of 0.15 ~~0.3~~.

2478 d. A bonus of \$100 for each student taught by a teacher
 2479 who provided instruction in a course that led to the attainment
 2480 of a CAPE industry certification on the CAPE Industry
 2481 Certification Funding List with a weight of 0.25 ~~0.5~~ or 0.5 ~~1.0~~.

2482
 2483 Bonuses awarded pursuant to this paragraph shall be provided to
 2484 teachers who are employed by the district in the year in which
 2485 the additional FTE membership calculation is included in the
 2486 calculation. Bonuses shall be calculated based upon the
 2487 associated weight of a CAPE industry certification on the CAPE
 2488 Industry Certification Funding List for the year in which the
 2489 certification is earned by the student. Any bonus awarded to a
 2490 teacher pursuant to this paragraph is in addition to any regular
 2491 wage or other bonus the teacher received or is scheduled to
 2492 receive. A bonus may not be awarded to a teacher who fails to
 2493 maintain the security of any CAPE industry certification
 2494 examination or who otherwise violates the security or
 2495 administration protocol of any assessment instrument that may
 2496 result in a bonus being awarded to the teacher under this
 2497 paragraph.

2498 ~~(o)~~ ~~(p)~~ Calculation of additional full-time equivalent
 2499 membership based upon early high school graduation.—Each school
 2500 district may receive funding for each student who graduates

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2501 early pursuant to s. 1003.4281. A district may earn 0.125 ~~0.25~~
2502 additional FTE for a student who graduates one semester in
2503 advance of the student's cohort and 0.25 ~~0.5~~ additional FTE for
2504 a student who graduates 1 year or more in advance of the
2505 student's cohort. If the student was enrolled in the district as
2506 a full-time high school student for at least 2 years, the
2507 district shall report the additional FTE for payment in the
2508 subsequent fiscal year. If the student was enrolled in the
2509 district for less than 2 years, the district of enrollment shall
2510 report the additional FTE and shall transfer a proportionate
2511 share of the funds earned for early graduation to the district
2512 in which the student was previously enrolled. Additional FTE
2513 included in the 2014-2015 Florida Education Finance Program for
2514 early graduation shall be reported and funded pursuant to this
2515 paragraph.

2516 (p) ~~(q)~~ Year-round-school programs.—The Commissioner of
2517 Education is authorized to adjust student eligibility
2518 definitions, funding criteria, and reporting requirements of
2519 statutes and rules in order that year-round-school programs may
2520 achieve equivalent application of funding requirements with non-
2521 year-round-school programs.

2522 (q) ~~(r)~~ Extended-school-year program.—It is the intent of
2523 the Legislature that students be provided additional instruction
2524 by extending the school year to 210 days or more. Districts may
2525 apply to the Commissioner of Education for funds to be used in

2526 | planning and implementing an extended-school-year program.

2527 | ~~(r)(s)~~ Determination of the base Florida Education Finance

2528 | Program ~~basic amount for current operation.~~—The base ~~basic~~

2529 | ~~amount for current operation to be included in the~~ Florida

2530 | Education Finance Program for kindergarten through grade 12 for

2531 | each district shall be the product of the following:

2532 | 1. The full-time equivalent student membership in each

2533 | program, multiplied by

2534 | 2. The cost factor for each program as provided in~~7~~

2535 | ~~adjusted for the maximum as provided by paragraph (c),~~ added to

2536 | 3. The additional full-time equivalent membership weights

2537 | provided in paragraphs (g), (h), (k), (l), (m), (n), and (o),

2538 | multiplied by

2539 | ~~4.3.~~ The comparable wage factor, if applicable, multiplied

2540 | by

2541 | ~~5.4.~~ The small district factor, if applicable, and

2542 | multiplied by

2543 | ~~6.5.~~ The base student allocation.

2544 | ~~(t)~~ ~~Computation for funding through the Florida Education~~

2545 | ~~Finance Program. The State Board of Education may adopt rules~~

2546 | ~~establishing programs, industry certifications, and courses for~~

2547 | ~~which the student may earn credit toward high school graduation~~

2548 | ~~and the criteria under which a student's industry certification~~

2549 | ~~or grade may be rescinded.~~

2550 | (2) DETERMINATION OF COMPARABLE WAGE FACTOR.—

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2551 (b) The comparable wage factor for each school district is
2552 used in the calculation of the base Florida Education Finance
2553 Program ~~basic amount for current operation~~ pursuant to
2554 subsection (1) if the comparable wage factor is greater than
2555 1.000.

2556 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The
2557 Legislature shall prescribe the aggregate required local effort
2558 for all school districts collectively as an item in the General
2559 Appropriations Act for each fiscal year. The amount that each
2560 district shall provide annually toward the cost of the Florida
2561 Education Finance Program for kindergarten through grade 12
2562 programs shall be calculated as follows:

2563 (a) Estimated taxable value calculations.—

2564 1.a. Not later than 2 working days before July 19, the
2565 Department of Revenue shall certify to the Commissioner of
2566 Education its most recent estimate of the taxable value for
2567 school purposes in each school district and the total for all
2568 school districts in the state for the current calendar year
2569 based on the latest available data obtained from the local
2570 property appraisers. The value certified shall be the taxable
2571 value for school purposes for that year, and no further
2572 adjustments shall be made, except those made pursuant to
2573 paragraphs (c) and (d), or an assessment roll change required by
2574 final judicial decisions as specified in paragraph (15)(b). Not
2575 later than July 19, the Commissioner of Education shall compute

2576 a millage rate, rounded to the next highest one one-thousandth
2577 of a mill, which, when applied to 96 percent of the estimated
2578 state total taxable value for school purposes, would generate
2579 the prescribed aggregate required local effort for that year for
2580 all districts. The Commissioner of Education shall certify to
2581 each district school board the millage rate, computed as
2582 prescribed in this subparagraph, as the minimum millage rate
2583 necessary to provide the district required local effort for that
2584 year.

2585 b. The General Appropriations Act shall direct the
2586 computation of the statewide adjusted aggregate amount for
2587 required local effort for all school districts collectively from
2588 ad valorem taxes to ensure that no school district's revenue
2589 from required local effort millage will produce more than 85 ~~90~~
2590 percent of the district's total Florida Education Finance
2591 Program calculation as calculated and adopted by the
2592 Legislature, and the adjustment of the required local effort
2593 millage rate of each district that produces more than 85 ~~90~~
2594 percent of its total Florida Education Finance Program
2595 entitlement to a level that will produce only 85 ~~90~~ percent of
2596 its total Florida Education Finance Program entitlement in the
2597 July calculation.

2598 2. On the same date as the certification in sub-
2599 subparagraph 1.a., the Department of Revenue shall certify to
2600 the Commissioner of Education for each district:

2601 a. Each year for which the property appraiser has
2602 certified the taxable value pursuant to s. 193.122(2) or (3), if
2603 applicable, since the prior certification under sub-subparagraph
2604 1.a.

2605 b. For each year identified in sub-subparagraph a., the
2606 taxable value certified by the appraiser pursuant to s.
2607 193.122(2) or (3), if applicable, since the prior certification
2608 under sub-subparagraph 1.a. This is the certification that
2609 reflects all final administrative actions of the value
2610 adjustment board.

2611 (5) DISCRETIONARY MILLAGE COMPRESSION SUPPLEMENT.—The
2612 Legislature shall prescribe in the General Appropriations Act,
2613 pursuant to s. 1011.71(1), the rate of nonvoted current
2614 operating discretionary millage that shall be used to calculate
2615 a discretionary millage compression supplement. If the
2616 prescribed millage generates an amount of funds per unweighted
2617 full-time equivalent student for the district that is less than
2618 the state average, the district shall receive an amount per
2619 full-time equivalent student that, when added to the funds per
2620 full-time equivalent student generated by the designated levy,
2621 shall equal the state average. The discretionary millage
2622 compression supplement shall be recalculated during the fiscal
2623 year pursuant to paragraph (1) (a).

2624 (6) STATE-FUNDED DISCRETIONARY CONTRIBUTION.—The state-
2625 funded discretionary contribution is created to fund the

2626 nonvoted discretionary millage for operations pursuant to s.
2627 1011.71(1) and (3) for developmental research schools (lab
2628 schools) established in s. 1002.32, charter schools sponsored by
2629 a Florida College System institution or a state university
2630 pursuant to s. 1002.33(5), and the Florida Virtual School
2631 established in s. 1002.37.

2632 (c) The state-funded discretionary contribution shall be
2633 recalculated during the fiscal year pursuant to paragraph
2634 (1) (a).

2635 (7) EDUCATIONAL ENRICHMENT ALLOCATION.—

2636 (a) The educational enrichment allocation is created to
2637 assist school districts in providing educational enrichment
2638 activities and services that support and increase the academic
2639 achievement of students in grades kindergarten through 12.
2640 Educational enrichment activities and services may be provided
2641 in a manner and at any time during or beyond the regular 180-day
2642 term identified by the school district as being the most
2643 effective and efficient way to best help the student progress
2644 from grade to grade and graduate from high school. For fiscal
2645 year 2023-2024, the educational enrichment allocation shall
2646 consist of a base amount as specified in the General
2647 Appropriations Act. Beginning in fiscal year 2024-2025, the
2648 educational enrichment allocation shall consist of the base
2649 amount that includes a workload adjustment based on changes in
2650 the unweighted full-time equivalent membership. Beginning in

2651 fiscal year 2025-2026, and each year thereafter, the statewide
 2652 average base amount as specified in the General Appropriations
 2653 Act shall be used for any new educational entity funded in the
 2654 Florida Education Finance Program.

2655 (c) The educational enrichment allocation, to include the
 2656 supplemental amount, shall be recalculated during the fiscal
 2657 year pursuant to paragraph (1) (a). ~~If the recalculated amount is~~
 2658 ~~greater than the amount provided in the General Appropriations~~
 2659 ~~Act, the allocation shall be prorated to the level provided to~~
 2660 ~~support the appropriation, based on each school district's~~
 2661 ~~proportionate share of the total allocation.~~

2662 (8) EXCEPTIONAL STUDENT EDUCATION GUARANTEED ALLOCATION.—
 2663 The exceptional student education guaranteed allocation is
 2664 created to fund the additional costs of programs for exceptional
 2665 students specified in subparagraphs ~~subparagraph~~ (1) (d) 2. and 3.
 2666 and shall be supplemental to the funds appropriated in the
 2667 Florida Education Finance Program for the basic student funding
 2668 level.

2669 (a) The amount of each school district's exceptional
 2670 student education guaranteed allocation shall be the greater of
 2671 either the school district's prior year exceptional student
 2672 education guaranteed allocation funds per eligible full-time
 2673 equivalent student or the exceptional student education
 2674 guaranteed allocation factor as specified in the General
 2675 Appropriations Act multiplied by the school district's total

2676 number of eligible full-time equivalent students.

2677 (b) The exceptional student education guaranteed
2678 allocation shall be recalculated during the fiscal year pursuant
2679 to paragraph (1) (a) ~~based on actual full-time equivalent student~~
2680 ~~membership. If the recalculated amount is greater than the~~
2681 ~~amount provided in the General Appropriations Act, the total~~
2682 ~~shall be prorated to the level of the appropriation based on~~
2683 ~~each school district's share of the total recalculated~~
2684 ~~allocation amount.~~

2685 (9) CALCULATION OF SUPPLEMENTAL ALLOCATION FOR JUVENILE
2686 JUSTICE EDUCATION PROGRAMS.—

2687 (a) The total kindergarten through grade 12 weighted full-
2688 time equivalent student membership in juvenile justice education
2689 programs in each school district shall be multiplied by the
2690 amount of the state average class-size-reduction factor
2691 multiplied by the comparable wage factor for the school district
2692 established in subsection (2). An amount equal to the sum of
2693 this calculation shall be allocated in the Florida Education
2694 Finance Program to each school district to supplement other
2695 sources of funding for students in juvenile justice education
2696 programs. The supplemental allocation for juvenile justice
2697 education programs shall be recalculated during the fiscal year
2698 pursuant to paragraph (1) (a).

2699 (12) SAFE SCHOOLS ALLOCATION.—A safe schools allocation is
2700 created to provide funding to assist school districts in their

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2701 compliance with ss. 1006.07-1006.12, with priority given to
2702 safe-school officers pursuant to s. 1006.12. Each school
2703 district shall receive a minimum safe schools allocation in an
2704 amount provided in the General Appropriations Act. Of the
2705 remaining balance of the safe schools allocation, one-third
2706 shall be allocated to school districts based on the most recent
2707 official Florida Crime Index provided by the Department of Law
2708 Enforcement and two-thirds shall be allocated based on each
2709 school district's proportionate share of the state's total
2710 unweighted full-time equivalent student enrollment. If a
2711 district school board is required by s. 1006.12 to assign a
2712 school resource officer or school safety officer to a charter
2713 school, the charter school's share of costs for such officer may
2714 not exceed the amount of funds allocated to the charter school
2715 under this subsection. The safe schools allocation shall be
2716 recalculated during the fiscal year pursuant to paragraph
2717 (1) (a).

2718 (13) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental
2719 health assistance allocation is created to provide funding to
2720 assist school districts in implementing their school-based
2721 mental health assistance program pursuant to s. 1006.041. These
2722 funds shall be allocated annually in the General Appropriations
2723 Act or other law to each eligible school district. Each school
2724 district shall receive a minimum of \$100,000, with the remaining
2725 balance allocated based on each school district's proportionate

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2726 share of the state's total unweighted full-time equivalent
2727 student enrollment. The mental health assistance allocation
2728 shall be recalculated during the fiscal year pursuant to
2729 paragraph (1) (a).

2730 (15) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR
2731 ~~CURRENT OPERATION.~~—The ~~total annual state allocation to each~~
2732 ~~district for current operation for the~~ Florida Education Finance
2733 Program shall be distributed to districts pursuant to s. 1011.66
2734 and based on the results of the full-time equivalent membership
2735 surveys established in paragraph (1) (a) ~~periodically in the~~
2736 ~~manner prescribed in the General Appropriations Act.~~

2737 (a) When the Florida Education Finance Program is
2738 recalculated pursuant to paragraph (1) (a), if the base funds
2739 ~~appropriated for current operation of the~~ Florida Education
2740 Finance Program and the categorical program funding, except for
2741 the categorical funding provided in ss. 1011.685 and 1011.695,
2742 ~~including funds appropriated pursuant to subsection (18),~~ are
2743 not sufficient to pay the state requirement in full, the
2744 department shall prorate the available state funds to each
2745 district in the following manner:

2746 1. To determine the amount that must be prorated among all
2747 school districts, subtract the sum of the recalculated base
2748 Florida Education Finance Program and the categorical programs,
2749 except for the categorical funding provided in ss. 1011.685 and
2750 1011.695, and any prior year adjustments pursuant to subsection

2751 (17), from the corresponding amount of state funds appropriated
2752 in the General Appropriations Act.

2753 2. Each school district's amount of proration is
2754 calculated based on its proportionate share of the base Florida
2755 Education Finance Program and categorical programs, except for
2756 the categorical programs established in ss. 1011.685 and
2757 1011.695.

2758 ~~1. Determine the percentage of proration by dividing the~~
2759 ~~sum of the total amount for current operation, as provided in~~
2760 ~~this paragraph for all districts collectively, and the total~~
2761 ~~district required local effort into the sum of the state funds~~
2762 ~~available for current operation and the total district required~~
2763 ~~local effort.~~

2764 ~~2. Multiply the percentage so determined by the sum of the~~
2765 ~~total amount for current operation as provided in this paragraph~~
2766 ~~and the required local effort for each individual district.~~

2767 ~~3. From the product of such multiplication, subtract the~~
2768 ~~required local effort of each district; and the remainder shall~~
2769 ~~be the amount of state funds allocated to the district for~~
2770 ~~current operation. However, no calculation subsequent to the~~
2771 ~~appropriation shall result in negative state funds for any~~
2772 ~~district.~~

2773 (b) The amount thus obtained shall be the net annual
2774 allocation to each school district. However, if it is determined
2775 that any school district received an under allocation or over

2776 allocation for any prior year because of an arithmetical error,
2777 assessment roll change required by final judicial decision,
2778 full-time equivalent student membership error, or any allocation
2779 error revealed in an audit report, the allocation to that
2780 district shall be appropriately adjusted. An under allocation in
2781 a prior year caused by a school district's error may not be the
2782 basis for a positive allocation adjustment for the current year.
2783 ~~Beginning with the 2011-2012 fiscal year,~~ If a special program
2784 cost factor is less than the basic program cost factor, an audit
2785 adjustment may not result in the reclassification of the special
2786 program FTE to the basic program FTE. If the Department of
2787 Education audit adjustment recommendation is based upon
2788 controverted findings of fact, the Commissioner of Education is
2789 authorized to establish the amount of the adjustment based on
2790 the best interests of the state.

2791 ~~(c) The amount thus obtained shall represent the net~~
2792 ~~annual state allocation to each district; however,~~
2793 ~~notwithstanding any of the provisions herein, each district~~
2794 ~~shall be guaranteed a minimum level of funding in the amount and~~
2795 ~~manner prescribed in the General Appropriations Act.~~

2796 ~~(16) STATE-FUNDED DISCRETIONARY SUPPLEMENT.—~~

2797 ~~(a) The state-funded discretionary supplement is created~~
2798 ~~to fund the nonvoted discretionary millage for operations~~
2799 ~~pursuant to s. 1011.71(1) and (3) for students awarded a Family~~
2800 ~~Empowerment Scholarship in accordance with s. 1002.394. To~~

2801 ~~calculate the state-funded discretionary supplement for~~
2802 ~~inclusion in the amount of the scholarship funding:~~

2803 ~~1. For fiscal year 2023-2024, multiply the maximum~~
2804 ~~allowable nonvoted discretionary millage for operations pursuant~~
2805 ~~to s. 1011.71(1) and (3) by the value of 96 percent of the~~
2806 ~~current year's taxable value for school purposes for the school~~
2807 ~~district where the student is reported for purposes of the~~
2808 ~~Florida Education Finance Program as appropriated in the General~~
2809 ~~Appropriations Act; divide the result by the school district's~~
2810 ~~total unweighted full-time equivalent membership as appropriated~~
2811 ~~in the General Appropriations Act; and multiply the result by~~
2812 ~~the total unweighted full-time equivalent membership associated~~
2813 ~~with the number of Family Empowerment Scholarship students~~
2814 ~~included in the school district's total unweighted full-time~~
2815 ~~equivalent membership. A base amount as specified in the General~~
2816 ~~Appropriations Act shall be added to this amount for purposes of~~
2817 ~~calculating the total amount of the supplement.~~

2818 ~~2. Beginning in fiscal year 2024-2025 and thereafter,~~
2819 ~~multiply the maximum allowable nonvoted discretionary millage~~
2820 ~~for operations pursuant to s. 1011.71(1) and (3) by the value of~~
2821 ~~96 percent of the current year's taxable value for school~~
2822 ~~purposes for the school district where the student is reported~~
2823 ~~for purposes of the Florida Education Finance Program as~~
2824 ~~appropriated in the General Appropriations Act; divide the~~
2825 ~~result by the school district's total unweighted full-time~~

2826 ~~equivalent membership as appropriated in the General~~
2827 ~~Appropriations Act; and multiply the result by the total~~
2828 ~~unweighted full-time equivalent membership associated with the~~
2829 ~~number of Family Empowerment Scholarship students. The prior~~
2830 ~~year's base amount shall be adjusted based on changes in the~~
2831 ~~eligible number of unweighted full-time equivalent membership~~
2832 ~~associated with the number of Family Empowerment Scholarship~~
2833 ~~students.~~

2834 ~~(b) The state-funded discretionary supplement shall be~~
2835 ~~recalculated during the fiscal year pursuant to paragraph~~
2836 ~~(1) (a). If the recalculated amount is greater than the amount~~
2837 ~~provided in the General Appropriations Act, the allocation shall~~
2838 ~~be prorated to the level provided to support the appropriation,~~
2839 ~~based on each school district's proportionate share of the total~~
2840 ~~allocation.~~

2841 ~~(16) (17)~~ (16) CATEGORICAL FUNDS.—

2842 (a) If a district school board determines that some or all
2843 of the funds received for any of the categorical programs
2844 established in this section are needed to maintain or enhance
2845 school board-specified academic classroom instruction, maintain
2846 or expand career and technical education instruction, or improve
2847 school safety, the school district may consider and approve an
2848 amendment to the school district's operating budget by
2849 transferring the identified amount of the categorical funds to
2850 the appropriate account for expenditure.

2851 (b) Each school district shall include in its annual
2852 financial report to the Department of Education the amount of
2853 funds the school board transferred from each of the categorical
2854 funds identified in this subsection and the specific academic
2855 classroom instruction, career and technical education
2856 instruction, or school safety need for which the transferred
2857 funds were expended. The department shall provide instructions
2858 and specify the format to be used in submitting this required
2859 information as part of the district annual financial report. The
2860 department shall annually submit a report to the Legislature
2861 that identifies by school district and by categorical fund the
2862 amount transferred and the specific academic classroom or career
2863 and technical education activity or school safety need for which
2864 the funds were expended.

2865 ~~(18) EDUCATIONAL ENROLLMENT STABILIZATION PROGRAM.~~

2866 ~~(a) The educational enrollment stabilization program is~~
2867 ~~created to provide supplemental state funds as needed to~~
2868 ~~maintain the stability of the operations of public schools in~~
2869 ~~each school district and to protect districts, including charter~~
2870 ~~schools, from financial instability as a result of changes in~~
2871 ~~full-time equivalent student enrollment throughout the school~~
2872 ~~year.~~

2873 ~~(b) The Legislature shall annually appropriate funds in~~
2874 ~~the General Appropriations Act to the Department of Education~~
2875 ~~for this program in an amount necessary to maintain a projected~~

2876 ~~minimum balance of \$250 million at the beginning of the upcoming~~
2877 ~~fiscal year. The Department of Education shall use funds as~~
2878 ~~appropriated to ensure that based on each recalculation of the~~
2879 ~~Florida Education Finance Program pursuant to paragraph (1)(a),~~
2880 ~~a school district's funds per unweighted full-time equivalent~~
2881 ~~student are not less than the greater of either the school~~
2882 ~~district's funds per unweighted full-time equivalent student as~~
2883 ~~appropriated in the General Appropriations Act or the school~~
2884 ~~district's funds per unweighted full-time equivalent student as~~
2885 ~~recalculated based upon the receipt of the certified taxable~~
2886 ~~value for school purposes pursuant to s. 1011.62(4).~~

2887 ~~(c) Notwithstanding s. 216.301 and pursuant to s. 216.351,~~
2888 ~~the unexpended balance of funds appropriated pursuant to this~~
2889 ~~subsection which is not disbursed by June 30 of the fiscal year~~
2890 ~~in which the funds are appropriated may be carried forward for~~
2891 ~~up to 10 years after the effective date of the original~~
2892 ~~appropriation.~~

2893 **Section 9. Section 1011.622, Florida Statutes, is amended**
2894 **to read:**

2895 1011.622 Adjustments for students without a Florida
2896 student identification number.—The Florida Education Finance
2897 Program funding calculations, including the calculations
2898 authorized in ss. 1011.62, 1011.68, and 1011.685, shall include
2899 funding for a student, including a student enrolled in a public
2900 school and a student participating in a state scholarship

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2901 program pursuant to chapter 1002, only when all of the student's
2902 applicable records are reported to the Department of Education
2903 under a Florida student identification number. The State Board
2904 of Education may adopt rules pursuant to ss. 120.536(1) and
2905 120.54 to implement this section.

2906 **Section 10. Section 1011.65, Florida Statutes, is amended**
2907 **to read:**

2908 1011.65 Recalculation of the Florida Education Finance
2909 ~~Program Appropriation Allocation Conference. Prior to the~~
2910 ~~distribution of any funds appropriated in the General~~
2911 ~~Appropriations Act for the K-12 Florida Education Finance~~
2912 ~~Program formula and for the formula-funded categorical programs,~~
2913 ~~the Commissioner of Education shall conduct an allocation~~
2914 ~~conference. Conference principals shall include representatives~~
2915 ~~of the Department of Education, the Executive Office of the~~
2916 ~~Governor, and the appropriations committees of the Senate and~~
2917 ~~the House of Representatives. Conference principals shall~~
2918 ~~discuss and agree to all conventions, including rounding~~
2919 ~~conventions, and methods of computation to be used to calculate~~
2920 ~~Florida Education Finance Program and categorical entitlements~~
2921 ~~of the districts for the fiscal year for which the~~
2922 ~~appropriations are made. These conventions and calculation~~
2923 ~~methods shall remain in effect until further agreements are~~
2924 ~~reached in subsequent allocation conferences called by the~~
2925 ~~commissioner for that purpose. The commissioner shall also,~~

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2926 Prior to each recalculation of Florida Education Finance Program
2927 pursuant to s. 1011.62(1)(a), the department shall and
2928 ~~ategorical allocations of the districts,~~ provide to the
2929 Legislature and the Executive Office of the Governor conference
2930 ~~principals with~~ all data necessary for the Legislature and the
2931 Executive Office of the Governor to replicate the department's
2932 recalculation of the Florida Education Finance Program. The
2933 recalculated Florida Education Finance Program may not be
2934 provided to school districts until the Legislature and the
2935 Executive Office of the Governor provide written notification to
2936 the department that the recalculated Florida Education Finance
2937 Program complies with law those allocations precisely. This data
2938 ~~shall include a matrix by district by program of all full-time~~
2939 ~~equivalent changes made by the department as part of its~~
2940 ~~administration of state full-time equivalent caps.~~

2941 **Section 11. Section 1011.695, Florida Statutes, is created**
2942 **to read:**

2943 1011.695 State-funded discretionary supplement.—The state-
2944 funded discretionary supplement is created to fund the nonvoted
2945 discretionary millage for operations pursuant to s. 1011.71(1)
2946 and (3) for students awarded Family Empowerment Scholarships in
2947 accordance with s. 1002.394. To calculate the state-funded
2948 discretionary supplement for inclusion in the amount of the
2949 scholarship funding:

2950 (1) Multiply the maximum allowable nonvoted discretionary

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2951 millage for operations pursuant to s. 1011.71(1) and (3) by the
2952 value of 96 percent of the current year's taxable value for
2953 school purposes for the district where the student is reported
2954 for purposes of funding in the Florida Education Finance Program
2955 as appropriated in the General Appropriations Act; divide the
2956 result by the district's total unweighted full-time equivalent
2957 membership as appropriated in the General Appropriations Act;
2958 and multiply the result by the total unweighted full-time
2959 equivalent membership associated with the number of Family
2960 Empowerment Scholarship students included in the district's
2961 total unweighted full-time equivalent membership. The amount of
2962 the prior year's base amount shall be adjusted based on changes
2963 in the eligible number of unweighted full-time equivalent
2964 membership associated with the number of Family Empowerment
2965 Scholarship students.

2966 (2) The state-funded discretionary supplement shall be
2967 recalculated during the fiscal year pursuant to s.
2968 1011.62(1)(a). If the recalculated amount is greater than the
2969 amount provided in the General Appropriations Act, the
2970 allocation shall be prorated to the level provided to support
2971 the appropriation, based on each school district's proportionate
2972 share of the total allocation.

2973 **Section 12. Paragraph (a) of subsection (1) of section**
2974 **110.1228, Florida Statutes, is amended to read:**

2975 110.1228 Participation by small counties, small

2976 municipalities, and district school boards located in small
 2977 counties.—

2978 (1) As used in this section, the term:

2979 (a) "District school board" means a district school board
 2980 located in a small county or a district school board that
 2981 receives funding pursuant to s. 1011.62(1)(e) ~~s. 1011.62(1)(f)~~.

2982 **Section 13. Subsection (6) of section 402.22, Florida**
 2983 **Statutes, is amended to read:**

2984 402.22 Education program for students who reside in
 2985 residential care facilities operated by the Department of
 2986 Children and Families or the Agency for Persons with
 2987 Disabilities.—

2988 (6) Notwithstanding the provisions of s. 1001.42(4)(m),
 2989 the educational program at the Marianna Sunland Center in
 2990 Jackson County shall be operated by the Department of Education,
 2991 either directly or through grants or contractual agreements with
 2992 other public educational agencies. The annual state allocation
 2993 to any such agency shall be computed pursuant to s. 1011.62(1),
 2994 (2), and (16) ~~(17)~~ and allocated in the amount that would have
 2995 been provided the local school district in which the residential
 2996 facility is located.

2997 **Section 14. Paragraph (a) of subsection (9) of section**
 2998 **1002.32, Florida Statutes, is amended to read:**

2999 1002.32 Developmental research (laboratory) schools.—

3000 (9) FUNDING.—Funding for a lab school, including a charter

3001 lab school, shall be provided as follows:

3002 (a) Each lab school shall receive state funds for
3003 operating purposes as provided in the Florida Education Finance
3004 Program as defined in s. 1011.61(4) ~~s. 1011.61(5)~~ based on the
3005 county in which the lab school is located and as specified in
3006 the General Appropriations Act.

3007 1. The nonvoted required local effort millage established
3008 pursuant to s. 1011.71(1) that would otherwise be required for
3009 lab schools shall be allocated from state funds.

3010 2. An equivalent amount of funds for the operating
3011 discretionary millage authorized pursuant to s. 1011.71(1) shall
3012 be allocated to each lab school through a state-funded
3013 discretionary contribution established pursuant to s.
3014 1011.62(6).

3015 **Section 15. Paragraph (b) of subsection (17) of section**
3016 **1002.33, Florida Statutes, is amended to read:**

3017 1002.33 Charter schools.—

3018 (17) FUNDING.—Students enrolled in a charter school,
3019 regardless of the sponsorship, shall be funded based upon the
3020 applicable program pursuant to s. 1011.62(1)(c), the same as
3021 students enrolled in other public schools in a school district.
3022 Funding for a charter lab school shall be as provided in s.
3023 1002.32.

3024 (b)1. Funding for students enrolled in a charter school
3025 sponsored by a school district shall be the sum of the school

3026 district's operating funds from the Florida Education Finance
3027 Program as defined in s. 1011.61(5) and the General
3028 Appropriations Act, including gross state and local funds, and
3029 funds from the school district's current operating discretionary
3030 millage levy; divided by total funded weighted full-time
3031 equivalent students in the school district; and multiplied by
3032 the weighted full-time equivalent students for the charter
3033 school. Charter schools whose students or programs meet the
3034 eligibility criteria in law are entitled to their proportionate
3035 share of categorical program funds included in the total funds
3036 available in the Florida Education Finance Program by the
3037 Legislature, including the student transportation allocation and
3038 the educational enrichment allocation. Total funding for each
3039 charter school shall be recalculated during the year to reflect
3040 the revised calculations under the Florida Education Finance
3041 Program by the state and the actual weighted full-time
3042 equivalent students reported by the charter school during the
3043 full-time equivalent student survey periods designated by the
3044 Commissioner of Education. For charter schools operated by a
3045 not-for-profit or municipal entity, any unrestricted current and
3046 capital assets identified in the charter school's annual
3047 financial audit may be used for other charter schools operated
3048 by the not-for-profit or municipal entity within the school
3049 district. For charter schools operated by a not-for-profit
3050 entity, any unrestricted current or capital assets identified in

3051 the charter school's annual audit may be used for other charter
3052 schools operated by the not-for-profit entity which are located
3053 outside of the originating charter school's school district, but
3054 within the state, through an unforgivable loan that must be
3055 repaid within 5 years to the originating charter school by the
3056 receiving charter school. Unrestricted current assets shall be
3057 used in accordance with s. 1011.62, and any unrestricted capital
3058 assets shall be used in accordance with s. 1013.62(2).

3059 2.a. Funding for students enrolled in a charter school
3060 sponsored by a state university or Florida College System
3061 institution pursuant to paragraph (5) (a) shall be provided in
3062 the Florida Education Finance Program as defined in s.
3063 1011.61(5) and as specified in the General Appropriations Act.
3064 The calculation to determine the amount of state funds includes
3065 the sum of the basic amount for current operations established
3066 in s. 1011.62(1)(r) ~~s. 1011.62(1)(s)~~, the discretionary millage
3067 compression supplement established in s. 1011.62(5), and the
3068 state-funded discretionary contribution established in s.
3069 1011.62(6). Charter schools whose students or programs meet the
3070 eligibility criteria in law are entitled to their proportionate
3071 share of categorical program funds included in the total funds
3072 available in the Florida Education Finance Program. The Florida
3073 College System institution or state university sponsoring the
3074 charter school shall be the fiscal agent for these funds, and
3075 all rules of the institution governing the budgeting and

3076 expenditure of state funds shall apply to these funds unless
 3077 otherwise provided by law or rule of the State Board of
 3078 Education.

3079 (I) The nonvoted required local millage established
 3080 pursuant to s. 1011.71(1) that would otherwise be required for
 3081 the charter schools shall be allocated from state funds.

3082 (II) An equivalent amount of funds for the operating
 3083 discretionary millage authorized pursuant to s. 1011.71(1) shall
 3084 be allocated to each charter school through a state-funded
 3085 discretionary contribution established pursuant to s.
 3086 1011.62(6).

3087 (III) The comparable wage factor as provided in s.
 3088 1011.62(2) shall be established as 1.000.

3089 b. Total funding for each charter school shall be
 3090 recalculated during the year to reflect the revised calculations
 3091 under the Florida Education Finance Program by the state and the
 3092 actual weighted full-time equivalent students reported by the
 3093 charter school during the full-time equivalent student survey
 3094 periods designated by the Commissioner of Education.

3095 c. The Department of Education shall develop a tool that
 3096 each state university or Florida College System institution
 3097 sponsoring a charter school shall use for purposes of
 3098 calculating the funding amount for each eligible charter school
 3099 student. The total amount obtained from the calculation must be
 3100 appropriated from state funds in the General Appropriations Act

3101 to the charter school.

3102 d. Capital outlay funding for a charter school sponsored
 3103 by a state university or Florida College System institution
 3104 pursuant to paragraph (5) (a) is determined as follows: multiply
 3105 the maximum allowable nonvoted discretionary millage under s.
 3106 1011.71(2) by 96 percent of the current year's taxable value for
 3107 school purposes for the district in which the charter school is
 3108 located; divide the result by the total full-time equivalent
 3109 student membership; and multiply the result by the full-time
 3110 equivalent student membership of the charter school. The amount
 3111 obtained shall be the discretionary capital improvement funds
 3112 and shall be appropriated from state funds in the General
 3113 Appropriations Act.

3114 **Section 16. Paragraphs (a) and (f) of subsection (3) and**
 3115 **paragraph (b) of subsection (9) of section 1002.37, Florida**
 3116 **Statutes, are amended to read:**

3117 1002.37 The Florida Virtual School.—

3118 (3) Funding for the Florida Virtual School shall be
 3119 provided as follows:

3120 (a)1. The calculation of "full-time equivalent student"
 3121 shall be as prescribed in s. 1011.61(1)(c)1.b.(V) and is subject
 3122 to s. 1011.61(3) ~~s. 1011.61(4)~~.

3123 2. For a student in a home education program, funding
 3124 shall be provided in accordance with this subsection upon course
 3125 completion if the parent verifies, upon enrollment for each

3126 course, that the student is registered with the school district
 3127 as a home education student pursuant to s. 1002.41(1)(a).

3128 (f) The Florida Virtual School shall receive state funds
 3129 for operating purposes as provided in the General Appropriations
 3130 Act. The calculation to determine the amount of state funds
 3131 includes: the sum of the basic amount for current operations
 3132 established in s. 1011.62(1)(r) ~~s. 1011.62(1)(s)~~, the
 3133 discretionary millage compression supplement established in s.
 3134 1011.62(5), the state-funded discretionary contribution
 3135 established in s. 1011.62(6), a per-full-time equivalent share
 3136 of the exceptional student education guaranteed allocation
 3137 established in s. 1011.62(8), and the mental health assistance
 3138 allocation established in s. 1011.62(13).

3139 (9)

3140 (b) For students receiving part-time instruction in
 3141 kindergarten through grade 5 and students receiving full-time
 3142 instruction in kindergarten through grade 12 from the Florida
 3143 Virtual School, the full-time equivalent student enrollment
 3144 calculated under this subsection is subject to the requirements
 3145 in s. 1011.61(3) ~~s. 1011.61(4)~~.

3146 **Section 17. Paragraphs (a) and (b) of subsection (6) of**
 3147 **section 1002.45, Florida Statutes, are amended to read:**

3148 1002.45 Virtual instruction programs.—

3149 (6) VIRTUAL INSTRUCTION PROGRAM AND VIRTUAL CHARTER SCHOOL
 3150 FUNDING.—

3151 (a) All virtual instruction programs established pursuant
 3152 to paragraph (1)(b) are subject to the requirements of s.
 3153 1011.61(1)(c)1.b.(III), (IV), (VI), and (3) ~~(4)~~, and the school
 3154 district providing the virtual instruction program shall report
 3155 the full-time equivalent students in a manner prescribed by the
 3156 department. A school district may report a full-time equivalent
 3157 student for credit earned by a student who is enrolled in a
 3158 virtual instruction course provided by the district which was
 3159 completed after the end of the regular school year if the full-
 3160 time equivalent student is reported no later than the deadline
 3161 for amending the final full-time equivalent student membership
 3162 report for that year.

3163 (b) Students enrolled in a virtual instruction program
 3164 shall be funded in the Florida Education Finance Program as
 3165 provided in the General Appropriations Act. The calculation to
 3166 determine the amount of funds for each student through the
 3167 Florida Education Finance Program shall include the sum of the
 3168 basic amount for current operations established in s.
 3169 1011.62(1)(r) ~~s. 1011.62(1)(s)~~ and all categorical programs
 3170 except for the categorical programs established in ss.
 3171 1011.62(7) and, ~~(12)~~, ~~and (16)~~, 1011.68, and 1011.685. Students
 3172 residing outside of the school district reporting the full-time
 3173 equivalent virtual student shall be funded from state funds
 3174 only.

3175 **Section 18. Paragraph (a) of subsection (2) and**

3176 **subsections (3) and (4) of section 1003.4203, Florida Statutes,**
 3177 **are amended to read:**

3178 1003.4203 Digital materials, CAPE Digital Tool
 3179 certificates, and technical assistance.—

3180 (2) CAPE DIGITAL TOOL CERTIFICATES.—The department shall
 3181 identify, in the CAPE Industry Certification Funding List under
 3182 ss. 1003.492 and 1008.44, CAPE Digital Tool certificates that
 3183 indicate a student's digital skills. The department shall notify
 3184 each school district when the certificates are available. The
 3185 certificates shall be made available to all public elementary
 3186 and middle grades students.

3187 (a) Targeted skills to be mastered for the certificate
 3188 include digital skills that are necessary to the student's
 3189 academic work and skills the student may need in future
 3190 employment. CAPE Digital Tool certificates earned by students
 3191 are eligible for additional full-time equivalent membership
 3192 under s. 1011.62(1)(n)1.a. ~~s. 1011.62(1)(o)1.a.~~

3193 (3) CAPE INDUSTRY CERTIFICATIONS.—

3194 (a) CAPE industry certifications, issued to middle school
 3195 and high school students, which do not articulate for college
 3196 credit, are eligible for additional full-time equivalent
 3197 membership pursuant to s. 1011.62(1)(n)1.b. ~~s. 1011.62(1)(o)1.b.~~

3198 (b) CAPE industry certifications, issued to high school
 3199 students, which articulate for college credit, are eligible for
 3200 additional full-time equivalent membership pursuant to s.

3201 1011.62(1)(n)1.b. ~~s. 1011.62(1)(e)1.b.~~

3202 (4) CAPE ACCELERATION.—Industry certifications that
 3203 articulate for 15 or more college credit hours and, if
 3204 successfully completed, are eligible for additional full-time
 3205 equivalent membership under s. 1011.62(1)(n)1.d. ~~s.~~

3206 ~~1011.62(1)(e)1.d.~~ Each approved industry certification must be
 3207 specifically identified in the CAPE Industry Certification
 3208 Funding List as a CAPE Acceleration Industry Certification.

3209 **Section 19. Paragraph (1) of subsection (4) of section**
 3210 **1003.485, Florida Statutes, is amended to read:**

3211 1003.485 The New Worlds Reading Initiative.—

3212 (4) ADMINISTRATOR RESPONSIBILITIES.—The administrator
 3213 shall:

3214 (1) Expend eligible contributions received only for the
 3215 purchase and delivery of books and to implement the requirements
 3216 of this section, as well as for administrative expenses not to
 3217 exceed 2 percent of total eligible contributions.

3218 Notwithstanding s. 1002.395(6)(1)2. ~~s. 1002.395(6)(1)3.~~, the
 3219 administrator may carry forward up to 25 percent of eligible
 3220 contributions made before January 1 of each state fiscal year
 3221 and 100 percent of eligible contributions made on or after
 3222 January 1 of each state fiscal year to the following state
 3223 fiscal year for purposes authorized by this subsection. Any
 3224 eligible contributions in excess of the allowable carry forward
 3225 not used to provide additional books throughout the year to

3226 eligible students shall revert to the state treasury.

3227 **Section 20. Subsection (3) of section 1003.4935, Florida**
3228 **Statutes, is amended to read:**

3229 1003.4935 Middle grades career and professional academy
3230 courses and career-themed courses.—

3231 (3) CAPE Digital Tool certificates and CAPE industry
3232 certifications offered in the middle grades that are included on
3233 the CAPE Industry Certification Funding List, if earned by
3234 students, are eligible for additional full-time equivalent
3235 membership pursuant to s. 1011.62(1)(n)1.a. ~~s. 1011.62(1)(o)1.a.~~
3236 and b.

3237 **Section 21. Paragraph (b) of subsection (2) of section**
3238 **1003.498, Florida Statutes, is amended to read:**

3239 1003.498 School district virtual course offerings.—

3240 (2) School districts may offer virtual courses for
3241 students enrolled in the school district. These courses must be
3242 identified in the course code directory. Students may
3243 participate in these virtual course offerings pursuant to s.
3244 1002.455.

3245 (b)1. Any student who is enrolled in a school district may
3246 register and enroll in an online course offered by any other
3247 school district in the state. The school district in which the
3248 student completes the course shall report the student's
3249 completion of that course for funding pursuant to s.
3250 1011.61(1)(c)1.b.(VI), and the home school district shall not

3251 report the student for funding for that course.

3252 2. The full-time equivalent student membership calculated
3253 under this subsection is subject to the requirements in s.
3254 1011.61(3) ~~s. 1011.61(4)~~. The Department of Education shall
3255 establish procedures to enable interdistrict coordination for
3256 the delivery and funding of this online option.

3257 3. Funding for virtual courses shall be as provided in s.
3258 1002.45(6).

3259 **Section 22. Subsection (2), paragraph (b) of subsection**
3260 **(13), subsection (23), paragraph (b) of subsection (24), and**
3261 **subsection (25) of section 1007.271, Florida Statutes, are**
3262 **amended to read:**

3263 1007.271 Dual enrollment programs.—

3264 (2) For the purpose of this section, an eligible secondary
3265 student is a student who is enrolled in any of grades 6 through
3266 12 in a Florida public school or in a Florida private school
3267 that is in compliance with s. 1002.42(2) and provides a
3268 secondary curriculum pursuant to s. 1003.4282. Students who are
3269 eligible for dual enrollment pursuant to this section may enroll
3270 in dual enrollment courses conducted during school hours, after
3271 school hours, and during the summer term. However, if the
3272 student is projected to graduate from high school before the
3273 scheduled completion date of a postsecondary course, the student
3274 may not register for that course through dual enrollment. The
3275 student may apply to the postsecondary institution and pay the

3276 required registration, tuition, and fees if the student meets
 3277 the postsecondary institution's admissions requirements under s.
 3278 1007.263. Instructional time for dual enrollment may vary from
 3279 900 hours; however, the full-time equivalent student membership
 3280 value shall be subject to the provisions in s. 1011.61(3) ~~s.~~
 3281 ~~1011.61(4)~~. A student enrolled as a dual enrollment student is
 3282 exempt from the payment of registration, tuition, and laboratory
 3283 fees. Applied academics for adult education instruction,
 3284 developmental education, and other forms of precollegiate
 3285 instruction, as well as physical education courses that focus on
 3286 the physical execution of a skill rather than the intellectual
 3287 attributes of the activity, are ineligible for inclusion in the
 3288 dual enrollment program. Recreation and leisure studies courses
 3289 shall be evaluated individually in the same manner as physical
 3290 education courses for potential inclusion in the program.

3291 (13)

3292 (b) Each public postsecondary institution eligible to
 3293 participate in the dual enrollment program pursuant to s.
 3294 1011.62(1)(h) ~~s. 1011.62(1)(i)~~ must enter into a home education
 3295 articulation agreement with each home education student seeking
 3296 enrollment in a dual enrollment course and the student's parent.
 3297 By August 1 of each year, the eligible postsecondary institution
 3298 shall complete and submit the home education articulation
 3299 agreement to the Department of Education. The home education
 3300 articulation agreement must include, at a minimum:

3301 1. A delineation of courses and programs available to
 3302 dually enrolled home education students. Courses and programs
 3303 may be added, revised, or deleted at any time by the
 3304 postsecondary institution. Any course or program limitations may
 3305 not exceed the limitations for other dually enrolled students.

3306 2. The initial and continued eligibility requirements for
 3307 home education student participation, not to exceed those
 3308 required of other dually enrolled students. A high school grade
 3309 point average may not be required for home education students
 3310 who demonstrate achievement of college-level communication and
 3311 computation skills as provided under s. 1008.30(1) or (2);
 3312 however, home education student eligibility requirements for
 3313 continued enrollment in dual enrollment courses must include the
 3314 maintenance of the minimum postsecondary grade point average
 3315 established by the postsecondary institution.

3316 3. The student's responsibilities for providing his or her
 3317 own transportation.

3318 4. A copy of the statement on transfer guarantees
 3319 developed by the Department of Education under subsection (15).

3320 (23) District school boards and Florida College System
 3321 institutions may enter into additional dual enrollment
 3322 articulation agreements with state universities for the purposes
 3323 of this section. School districts may also enter into dual
 3324 enrollment articulation agreements with eligible independent
 3325 colleges and universities pursuant to s. 1011.62(1)(h) ~~s.~~

3326 ~~1011.62(1)(i)~~. By August 1 of each year, the district school
3327 board and the Florida College System institution shall complete
3328 and submit the dual enrollment articulation agreement with the
3329 state university or an eligible independent college or
3330 university, as applicable, to the Department of Education.

3331 (24)

3332 (b) Each public postsecondary institution eligible to
3333 participate in the dual enrollment program pursuant to s.
3334 1011.62(1)(h) ~~s. 1011.62(1)(i)~~ must enter into a private school
3335 articulation agreement with each eligible private school in its
3336 geographic service area seeking to offer dual enrollment courses
3337 to its students, including, but not limited to, students with
3338 disabilities. By August 1 of each year, the eligible
3339 postsecondary institution shall complete and submit the private
3340 school articulation agreement to the Department of Education.
3341 The private school articulation agreement must include, at a
3342 minimum:

3343 1. A delineation of courses and programs available to the
3344 private school student. The postsecondary institution may add,
3345 revise, or delete courses and programs at any time.

3346 2. The initial and continued eligibility requirements for
3347 private school student participation, not to exceed those
3348 required of other dual enrollment students.

3349 3. The student's responsibilities for providing his or her
3350 own transportation.

3351 4. A provision clarifying that the private school will
 3352 award appropriate credit toward high school completion for the
 3353 postsecondary course under the dual enrollment program.

3354 5. A provision expressing that costs associated with
 3355 tuition and fees, including registration, and laboratory fees,
 3356 will not be passed along to the student.

3357 (25) For students with disabilities, a postsecondary
 3358 institution eligible to participate in dual enrollment pursuant
 3359 to s. 1011.62(1)(h) ~~s. 1011.62(1)(i)~~ shall include in its dual
 3360 enrollment articulation agreement, services and resources that
 3361 are available to students with disabilities who register in a
 3362 dual enrollment course at the eligible institution and provide
 3363 information regarding such services and resources to the Florida
 3364 Center for Students with Unique Abilities. The Department of
 3365 Education shall provide to the center the Internet website link
 3366 to dual enrollment articulation agreements specific to students
 3367 with disabilities. The center shall include in the information
 3368 that it is responsible for disseminating to students with
 3369 disabilities and their parents pursuant to s. 1004.6495, dual
 3370 enrollment articulation agreements and opportunities for
 3371 meaningful campus experience through dual enrollment.

3372 **Section 23. Subsection (1) of section 1008.44, Florida**
 3373 **Statutes, is amended to read:**

3374 1008.44 CAPE Industry Certification Funding List.—

3375 (1) The State Board of Education shall adopt, at least

3376 annually, based upon recommendations by the Commissioner of
 3377 Education, the CAPE Industry Certification Funding List that
 3378 assigns additional full-time equivalent membership to
 3379 certifications identified in the Master Credentials List under
 3380 s. 445.004(4) that meets a statewide, regional, or local demand.
 3381 Additional full-time equivalent membership funding for regional
 3382 and local demand certifications may only be earned in those
 3383 areas with regional or local demand as identified by the
 3384 Credentials Review Committee. The CAPE Industry Certification
 3385 Funding List may include the following certificates and
 3386 certifications:

3387 (a) CAPE industry certifications identified as credentials
 3388 of value that meet the framework of quality under s. 445.004(4),
 3389 that must be applied in the distribution of funding to school
 3390 districts under s. 1011.62(1)(n) ~~s. 1011.62(1)(e)~~. The CAPE
 3391 Industry Certification Funding List shall incorporate by
 3392 reference the industry certifications on the career pathways
 3393 list approved for the Florida Gold Seal CAPE Scholars award.

3394 (b) CAPE Digital Tool certificates selected by the
 3395 department under s. 1003.4203(2) that do not articulate for
 3396 college credit. The certificates must be made available to
 3397 students in elementary school and middle school grades and, if
 3398 earned by a student, must be eligible for additional full-time
 3399 equivalent membership under s. 1011.62(1)(n)1. ~~s.~~
 3400 ~~1011.62(1)(e)1.~~ The department shall annually review available

3401 assessments that meet the requirements for inclusion on the
 3402 list.

3403 (c) CAPE Acceleration Industry Certifications that
 3404 articulate for 15 or more college credit hours under s.
 3405 1003.4203(4). Such certifications must, if successfully
 3406 completed, be eligible for additional full-time equivalent
 3407 membership under s. 1011.62(1)(n)1. ~~s. 1011.62(1)(e)1.~~

3408 (d) The Commissioner of Education shall conduct a review
 3409 of the methodology used to determine additional full-time
 3410 equivalent membership weights assigned in s. 1011.62(1)(n) ~~s.~~
 3411 ~~1011.62(1)(e)~~ and, if necessary, recommend revised weights. The
 3412 weights must factor in the prioritization of critical shortages
 3413 of labor market demand and middle-level to high-level wage
 3414 earning outcomes as identified by the Credentials Review
 3415 Committee under s. 445.004. The results of the review and the
 3416 commissioner's recommendations must be submitted to the
 3417 Governor, the President of the Senate, and the Speaker of the
 3418 House of Representatives no later than December 1, 2023.

3419 **Section 24. Paragraph (a) of subsection (2) and paragraph**
 3420 **(b) of subsection (3) of section 1010.20, Florida Statutes, are**
 3421 **amended to read:**

3422 1010.20 Cost accounting and reporting for school
 3423 districts.—

3424 (2) COST REPORTING.—

3425 (a) Each district shall report on a district-aggregate

3426 basis expenditures for inservice training pursuant to s.
 3427 1011.62(3) and for categorical programs as provided in s.
 3428 1011.62(16) ~~s. 1011.62(17)~~.

3429 (3) PROGRAM EXPENDITURE REQUIREMENTS.—

3430 (b) Funds for inservice training established in s.
 3431 1011.62(3) and for categorical programs established in s.
 3432 1011.62(16) ~~s. 1011.62(17)~~ shall be expended for the costs of
 3433 the identified programs as provided by law and in accordance
 3434 with the rules of the State Board of Education.

3435 **Section 25. Paragraph (d) of subsection (1) of section**
 3436 **1011.68, Florida Statutes, is amended to read:**

3437 1011.68 Funds for student transportation.—The annual
 3438 allocation to each district for transportation to public school
 3439 programs, including charter schools as provided in s.
 3440 1002.33(17)(b), of students in membership in kindergarten
 3441 through grade 12 and in migrant and exceptional student programs
 3442 below kindergarten shall be determined as follows:

3443 (1) Subject to the rules of the State Board of Education,
 3444 each district shall determine the membership of students who are
 3445 transported:

3446 (d) By reason of being career, dual enrollment, or
 3447 students with disabilities transported from one school center to
 3448 another to participate in an instructional program or service;
 3449 or students with disabilities, transported from one designation
 3450 to another in the state, provided one designation is a school

3451 center and provided the student's individual educational plan
3452 (IEP) identifies the need for the instructional program or
3453 service and transportation to be provided by the school
3454 district. A "school center" is defined as a public school
3455 center, Florida College System institution, state university, or
3456 other facility rented, leased, or owned and operated by the
3457 school district or another public agency. A "dual enrollment
3458 student" is defined as a public school student in membership in
3459 both a public secondary school program and a Florida College
3460 System institution or a state university program under a written
3461 agreement to partially fulfill ss. 1003.435 and 1007.23 and
3462 earning full-time equivalent membership under s. 1011.62(1)(h)
3463 ~~s. 1011.62(1)(i)~~.

3464 **Section 26. Section 1012.44, Florida Statutes, is amended**
3465 **to read:**

3466 1012.44 Qualifications for certain persons providing
3467 speech-language services.—The State Board of Education shall
3468 adopt rules for speech-language services to school districts
3469 that qualify for additional full-time equivalent membership
3470 under s. 1011.62(1)(e) ~~s. 1011.62(1)(f)~~. These services may be
3471 provided by baccalaureate degree level persons for a period of 3
3472 years. The rules shall authorize the delivery of speech-language
3473 services by baccalaureate degree level persons under the
3474 direction of a certified speech-language pathologist with a
3475 master's degree or higher.

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Section 27. This act shall take effect July 1, 2025.