

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Persons-Mulicka offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

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

216.136 Consensus estimating conferences; duties and principals.—

(4) EDUCATION ESTIMATING CONFERENCE.—

(a)1. The Education Estimating Conference shall develop such official information relating to the state public and private educational system, including forecasts of the number of full-time equivalent students eligible for funding in the

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14 Florida Education Finance Program, the number of scholarships
15 established in s. 1002.395 eligible for funding with tax credit
16 revenue ~~student enrollments~~, the national average of tuition and
17 fees at public postsecondary educational institutions, the
18 number of students qualified for state financial aid programs
19 and for the William L. Boyd, IV, Effective Access to Student
20 Education Grant Program and the appropriation required to fund
21 the full award amounts for each program, fixed capital outlay
22 needs, and any other estimates ~~Florida Education Finance Program~~
23 ~~formula needs~~, as the conference determines are ~~is~~ needed for
24 the state planning and budgeting system.

25 2. All governmental agencies shall provide the Office of
26 Economic and Demographic Research with all the necessary data to
27 accomplish the purposes of the conference. Further, the
28 nonprofit scholarship-funding organizations authorized pursuant
29 to s. 1002.395 shall submit all data requested by the
30 conference, including, but not limited to, historical tax credit
31 remittance data, historical and estimated prior year authorized
32 carry forward amounts, and historical and estimated amounts of
33 funds transferred pursuant to s. 1002.395(6)(1).

34 3.a. The conference shall convene and adopt an
35 ~~conference's~~ initial forecast of full-time equivalent public
36 school students which shall be made available and reviewed by
37 ~~projections of enrollments in public schools shall be forwarded~~

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38 ~~by the conference to each school district before the final~~
39 ~~forecast is adopted by the conference.~~

40 b. The conference's initial forecast of scholarships
41 pursuant to s. 1002.395 shall be made available and reviewed by
42 each authorized nonprofit scholarship-funding organization
43 before the final forecast is adopted by the conference. Once
44 adopted, scholarship-funding organizations must maintain the
45 level of active participants identified within the official
46 information, as defined in s. 216.133(2), unless subsequently
47 revised by the conference no later than 2 months prior to the
48 start of the regular session of the Legislature. Each school
49 district may, in writing, request adjustments to the initial
50 projections. Any adjustment request shall be submitted to the
51 conference no later than 1 month prior to the start of the
52 regular session of the Legislature and shall be considered by
53 the principals of the conference. A school district may amend
54 its adjustment request, in writing, during the first 3 weeks of
55 the legislative session, and such amended adjustment request
56 shall be considered by the principals of the conference. For any
57 adjustment so requested, the district shall indicate and
58 explain, using definitions adopted by the conference, the
59 components of anticipated enrollment changes that correspond to
60 continuation of current programs with workload changes; program
61 improvement; program reduction or elimination; initiation of new
62 programs; and any other information that may be needed by the

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~~Legislature. For public schools, the conference shall submit its full-time equivalent student consensus estimate to the Legislature no later than 1 month after the start of the regular session of the Legislature.~~

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

Section 2. Paragraphs (i) through (n) of subsection (2) of section 1002.394, Florida Statutes, are redesignated as paragraphs (j) through (o), respectively, subsection (1), paragraph (a) of subsection (4), paragraphs (a) and (b) of subsection (5), subsection (6), paragraphs (a) and (b) of subsection (8), paragraph (b) of subsection (9), paragraphs (a) and (b) of subsection (10), paragraphs (a), (b), and (c) of subsection (11), and paragraphs (a), (b), and (d) of subsection (12) are amended, a new paragraph (i) is added to subsection (2), paragraph (f) is added to subsection (7), and paragraphs (e), (f), and (g) are added to subsection (11) of that section, to read:

1002.394 The Family Empowerment Scholarship Program.—

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

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

89 (i) "Fraud" means an intentional deception, omission, or
90 misrepresentation made by a person with knowledge that the
91 deception, omission, or misrepresentation may result in
92 unauthorized benefit to that person or another person, or any
93 aiding and abetting of the commission of such an act. The term
94 includes any act that constitutes fraud under applicable federal
95 or state law.

96 (4) AUTHORIZED USES OF PROGRAM FUNDS.—

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

- 99 1. Tuition and fees at an eligible private school.
100 2. Instructional materials, including digital materials
101 and Internet resources.
102 3. Curriculum as defined in subsection (2).
103 4. Tuition and fees associated with full-time or part-time
104 enrollment in an eligible postsecondary educational institution
105 or a program offered by the postsecondary educational
106 institution, unless the program is subject to s. 1009.25 or
107 reimbursed pursuant to s. 1009.30; an approved preapprenticeship
108 program as defined in s. 446.021(5) which is not subject to s.
109 1009.25 and complies with all applicable requirements of the
110 department pursuant to chapter 1005; a private tutoring program
111 authorized under s. 1002.43; a virtual program offered by a
112 department-approved private online provider that meets the

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113 provider qualifications specified in s. 1002.45(2)(a); the
114 Florida Virtual School as a private paying student; or an
115 approved online course offered pursuant to s. 1003.499 or s.
116 1004.0961.

117 5. Fees for nationally standardized, norm-referenced
118 achievement tests, Advanced Placement Examinations, industry
119 certification examinations, assessments related to postsecondary
120 education, or other assessments.

121 6. Contracted services provided by a public school or
122 school district, including classes. A student who receives
123 contracted services under this subparagraph is not considered
124 enrolled in a public school for eligibility purposes as
125 specified in subsection (6) but rather attending a public school
126 on a part-time basis as authorized under s. 1002.44. A school
127 district may not report a student who is receiving contracted
128 services under this subparagraph for funding in the Florida
129 Education Finance Program.

130 7. Tuition and fees for part-time tutoring services or
131 fees for services provided by a choice navigator. Such services
132 must be provided by a person who holds a valid Florida
133 educator's certificate pursuant to s. 1012.56, a person who
134 holds an adjunct teaching certificate pursuant to s. 1012.57, a
135 person who has a bachelor's degree or a graduate degree in the
136 subject area in which instruction is given, a person who has
137 demonstrated a mastery of subject area knowledge pursuant to s.

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

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

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

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

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

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

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

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

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

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

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

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

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

177 b. Reimbursements for program expenditures may continue
178 until the account balance is expended or remaining funds have
179 reverted to the state.

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

182 a. The parent does not renew program eligibility;

183 b. The organization determines that the student is not
184 eligible for program renewal;

185 c. The Commissioner of Education suspends or revokes
186 program participation or use of funds;

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

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

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

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

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

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

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

210 c. Two consecutive fiscal years in which an account has
211 been inactive; or

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212 d. A parent has failed to approve the quarterly deposit of
213 scholarship funds.

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

216 (a) Enrolled full time in a public school, including, but
217 not limited to, the Florida School for the Deaf and the Blind,
218 the College-Preparatory Boarding Academy, ~~the Florida School for~~
219 ~~Competitive Academics,~~ the Florida Virtual School, the Florida
220 Scholars Academy, a developmental research school authorized
221 under s. 1002.32, or a charter school authorized under this
222 chapter. For purposes of this paragraph, a 3- or 4-year-old
223 child who receives services funded through the Florida Education
224 Finance Program is considered to be a student enrolled in a
225 public school. Funding provided under this section for a child
226 eligible for enrollment in the Voluntary Prekindergarten
227 Education Program shall constitute funding for the child under
228 part V of this chapter, and no additional funding shall be
229 provided for the child under part V.†

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

233 (c) Receiving any other educational scholarship pursuant
234 to this chapter. However, an eligible public school student
235 receiving a scholarship under s. 1002.411 may receive a

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236 scholarship for transportation pursuant to subparagraph

237 (4) (a) 2. ~~+~~

238 (d) Not having regular and direct contact with his or her
239 private school teachers pursuant to s. 1002.421(1)(i), unless he
240 or she is eligible pursuant to paragraph (3)(b) and enrolled in
241 an eligible ~~the participating~~ private school's transition-to-
242 work program pursuant to subsection (16) or a home education
243 program pursuant to s. 1002.41. ~~+~~

244 (e) Participating in a private tutoring program pursuant
245 to s. 1002.43 unless he or she is determined eligible pursuant
246 to paragraph (3)(b). ~~+~~ ~~or~~

247 (f) Participating in virtual instruction pursuant to s.
248 1002.455 that receives state funding pursuant to the student's
249 participation.

250 (7) SCHOOL DISTRICT OBLIGATIONS.—

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

254 (8) DEPARTMENT OF EDUCATION OBLIGATIONS.—

255 (a) The department shall:

256 1. Publish and update, as necessary, information on the
257 department website about the Family Empowerment Scholarship
258 Program, including, but not limited to, student eligibility
259 criteria; ~~+~~ parental responsibilities; a list of approved
260 specialized instructional service providers required by s.

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261 1002.66; a list of nationally norm-referenced tests identified
262 as satisfying the testing requirements of subparagraph (9)(c)1.;
263 eligible postsecondary educational institutions; eligible
264 private schools; and eligible nonprofit scholarship-funding
265 organizations, and relevant data.

266 2.a. Assign a Florida student identification number
267 pursuant to s. 1008.386 to each eligible scholarship student who
268 has not previously been assigned a Florida student
269 identification number.

270 b. Cross-check each eligible nonprofit scholarship-funding
271 organization's verified list of scholarship students eligible to
272 receive a quarterly payment pursuant to paragraphs (11)(a) and
273 (b) and the full-time equivalent student membership survey data
274 pursuant to s. 1011.62(1)(a), to verify that a school district
275 has not also reported the student as a public school student. If
276 both the organization and a school district have reported the
277 same full-time equivalent student for funding, the department
278 must use the most recent student attendance records and reports
279 data collected pursuant to s. 1003.23 to resolve the reporting
280 duplication and may not release state scholarship funds for the
281 student until the duplication has been resolved.

282 c.2. Report, as part of the determination of full-time
283 equivalent membership pursuant to s. 1011.62(1)(a), all
284 scholarship students funded through the Florida Education
285 Finance Program who are not reported as enrolled by a school

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~~district, and cross-check the list of scholarship students submitted by the eligible nonprofit scholarship funding organization with the full-time equivalent student membership survey data to avoid duplication.~~

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

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

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

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

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

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

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311 6. Notify the parent and the organization when a
312 scholarship account is closed and program funds revert to the
313 state.

314 7. Notify an eligible nonprofit scholarship-funding
315 organization of any of the organization's or other
316 organization's identified students who are receiving
317 scholarships under this chapter.

318 8. Develop and provide to the scholarship-funding
319 organizations and school districts a standard request form for
320 student withdrawal from a public school and a standard request
321 form for withdrawal from the scholarship program.

322 ~~8. Maintain on its website a list of approved providers as~~
323 ~~required by s. 1002.66, eligible postsecondary educational~~
324 ~~institutions, eligible private schools, and eligible~~
325 ~~organizations and may identify or provide links to lists of~~
326 ~~other approved providers.~~

327 9. Require each organization to verify eligible
328 expenditures before the distribution of funds for any
329 expenditures made pursuant to subparagraphs (4)(b)1. and 2.
330 Review of expenditures made for services specified in
331 subparagraphs (4)(b)3.-15. may be completed after the purchase
332 is made.

333 10. Investigate to determine possible fraud ~~any written~~
334 ~~complaint of a violation of this section~~ by a parent, an
335 eligible ~~a student, a participating~~ private school, a public

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336 school, a school district, an organization, a provider, or
337 another appropriate party in accordance with the process
338 established under s. 1002.421. During the investigation, the
339 department may examine all records and make inquiry of all
340 persons who may have knowledge as to any irregularity incidental
341 to the disbursement of state funds or other items or benefits
342 authorizations to scholarship recipients.

343 11. Require quarterly reports by an organization, which
344 must include, at a minimum, the number of students participating
345 in the program; the demographics of program participants; the
346 disability category of program participants; the matrix level of
347 services, if known; the scholarship ~~program~~ award amount per
348 student; the total expenditures for the purposes specified in
349 paragraph (4)(b); the types of providers of services to
350 students; the number of scholarship applications received, the
351 number of applications processed within 30 days after receipt,
352 and the number of incomplete applications received; data related
353 to reimbursement submissions, including the average number of
354 days for a reimbursement to be reviewed and the average number
355 of days for a reimbursement to be approved; any parent input and
356 feedback collected regarding the program; and any other
357 information deemed necessary by the department. Within 30 days
358 after receipt of each quarterly report, the department shall
359 submit a copy of the report to the Legislature.

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

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

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

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

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

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

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386 In determining whether to suspend or revoke participation or
387 lift a suspension or revocation in accordance with this
388 paragraph, the department may consider factors that include, but
389 are not limited to, acts or omissions that led to a previous
390 suspension or revocation of participation in a state or federal
391 program or an education scholarship program; failure to
392 reimburse the organization for funds improperly received or
393 retained; failure to reimburse state ~~government~~ funds improperly
394 received or retained; imposition of a prior criminal sanction
395 related to the person or entity or its officers or employees;
396 imposition of a civil fine or administrative fine, license
397 revocation or suspension, or program eligibility suspension,
398 termination, or revocation related to a person's or entity's
399 management or operation; or other types of criminal proceedings
400 in which the person or entity or its officers or employees were
401 found guilty of, regardless of adjudication, or entered a plea
402 of nolo contendere or guilty to, any offense involving fraud,
403 deceit, dishonesty, or moral turpitude.

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

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

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student's admission to the private school, the private school's and student's fee schedules, and any other information required by the organization to process scholarship payment under subparagraph (12) (a) 3. ~~(12) (a) 4.~~ Such information must be provided by the deadlines established by the organization and in accordance with the requirements of this section. A student is not eligible to receive a quarterly scholarship payment if the private school fails to meet the deadline.

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

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

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

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

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

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

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435 3.a. Beginning with new applications for the 2025-2026
436 school year and thereafter, notify the organization ~~by December~~
437 ~~15~~ that the scholarship is being accepted by July 1 to be
438 eligible for the first quarter payment, by September 1 to be
439 eligible for the second quarter payment, and by December 1 to be
440 eligible for the third quarter payment. All notifications must
441 include confirmation of the student's admission acceptance at an
442 eligible private school pursuant to subsection (9). A
443 scholarship is deemed declined if notification is not received
444 by December 1 ~~or declined.~~

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

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

456 5. Require his or her student participating in the
457 scholarship program to remain in attendance at the eligible
458 private school throughout the school year unless excused by the
459 school for illness or other good cause.

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460 6. Meet with the eligible private school's principal or
461 the principal's designee to review the school's academic
462 programs and policies, specialized services, code of student
463 conduct, and attendance policies before enrollment.

464 7. Require his or her student participating in the
465 scholarship program to take the norm-referenced assessment
466 offered by the eligible private school. The parent may also
467 choose to have the student participate in the statewide
468 assessments pursuant to paragraph (7)(d). If the parent requests
469 that the student participating in the scholarship program take
470 all statewide assessments required pursuant to s. 1008.22, the
471 parent is responsible for transporting the student to the
472 assessment site designated by the school district.

473 8. Verify that his or her student is not attending a
474 public school and approve each quarterly payment established in
475 paragraph (12)(a) before the scholarship funds are ~~may be~~
476 deposited by funds transfer ~~pursuant to subparagraph (12)(a)3.~~
477 The parent may not designate any entity or individual associated
478 with an eligible ~~the participating~~ private school as the
479 parent's attorney in fact to approve a funds transfer. A
480 participant who fails to comply with this paragraph forfeits the
481 scholarship.

482 9. Agree to have the organization commit scholarship funds
483 on behalf of his or her student for tuition and fees for which
484 the parent is responsible for payment at the eligible private

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485 school before using scholarship account funds for additional
486 authorized uses under paragraph (4) (a). A parent is responsible
487 for all eligible expenses in excess of the amount of the
488 scholarship.

489 10. Comply with the scholarship application and renewal
490 processes and requirements established by this section ~~the~~
491 ~~organization.~~

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

496 1. Apply to an eligible nonprofit scholarship-funding
497 organization to participate in the program and comply with the
498 application process established in subparagraph (11) (b) 2. ~~by a~~
499 ~~date set by the organization. The request must be communicated~~
500 ~~directly to the organization in a manner that creates a written~~
501 ~~or electronic record of the request and the date of receipt of~~
502 ~~the request.~~

503 2.a. Beginning with new applications for the 2025-2026
504 school year and thereafter, notify the organization by July 1
505 ~~December 15~~ that the scholarship is being accepted to be
506 eligible for the first quarter payment, by September 1 to be
507 eligible for the second quarter payment, and by December 1 to be
508 eligible for the third quarter payment. If applicable, all
509 notifications must include confirmation of the student's

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510 admission acceptance at an eligible private school pursuant to
511 subsection (9). A scholarship is deemed declined if notification
512 is not received by December 1 ~~or declined.~~

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

520 3. Sign an agreement with the organization and annually
521 submit a sworn compliance statement to the organization to
522 satisfy or maintain program eligibility, including eligibility
523 to receive and spend program payments by:

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

527 b. Affirming that the program funds are used only for
528 authorized purposes serving the student's educational needs, as
529 described in paragraph (4)(b); that any prepaid college plan or
530 college savings plan funds contributed pursuant to subparagraph
531 (4)(b)6. will not be transferred to another beneficiary while
532 the plan contains funds contributed pursuant to this section;
533 and that they will not receive a payment, refund, or rebate of
534 any funds provided under this section.

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

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

540 (II) Providing an annual evaluation in accordance with s.
541 1002.41(1) (f); or

542 (III) Requiring the child to take any preassessments and
543 postassessments selected by the provider if the child is 4 years
544 of age and is enrolled in a program provided by an eligible
545 Voluntary Prekindergarten Education Program provider. A student
546 with disabilities for whom the physician or psychologist who
547 issued the diagnosis or the IEP team determines that a
548 preassessment and postassessment is not appropriate is exempt
549 from this requirement. A participating provider shall report a
550 student's scores to the parent.

551 d. Affirming that the student remains in good standing
552 with the provider or school if those options are selected by the
553 parent.

554 e. Enrolling his or her child in a program from a
555 Voluntary Prekindergarten Education Program provider authorized
556 under s. 1002.55, a school readiness provider authorized under
557 s. 1002.88, a prekindergarten program offered by an eligible
558 private school, or an eligible private school if selected by the
559 parent.

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560 f. ~~Complying~~ Comply with the scholarship application and
561 renewal processes and requirements established by this section
562 ~~the organization~~. A student whose participation in the program
563 is not renewed may continue to spend scholarship funds that are
564 in his or her account from prior years unless the account must
565 be closed pursuant to subparagraph (5)(b)3. Notwithstanding any
566 changes to the student's IEP, a student who was previously
567 eligible for participation in the program shall remain eligible
568 to apply for renewal. However, for a high-risk child to continue
569 to participate in the program in the school year after he or she
570 reaches 6 years of age, the child's application for renewal of
571 program participation must contain documentation that the child
572 has a disability defined in paragraph (2)(e) other than high-
573 risk status.

574 g. Procuring the services necessary to educate the
575 student. If such services include enrollment in an eligible
576 private school, the parent must meet with the private school's
577 principal or the principal's designee to review the school's
578 academic programs and policies, specialized services, code of
579 student conduct, and attendance policies before his or her
580 student is enrolled. The parent must also approve each quarterly
581 payment to the eligible private school before the scholarship
582 funds may be deposited by funds transfer ~~pursuant to~~
583 ~~subparagraph (12)(a)4~~. The parent may not designate any entity
584 or individual ~~associated with the eligible private school~~ as the

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

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

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

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

1. Establish a process for parents whose students were funded a scholarship in the prior school year ~~who are in compliance with paragraph (10)(a)~~ to renew their students' scholarships which is consistent with the requirements of subsection (10). Renewal applications for the 2025-2026 school year and thereafter must provide for a renewal timeline beginning February 1 of the prior school year and ending April 30 of the prior school year. ~~A student's renewal is contingent~~

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~~upon an eligible private school providing confirmation of student admission pursuant to subsection (9). The process must require that parents confirm that the scholarship is being renewed or declined by May 31.~~

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

a. A submission period for submitting an application which must. ~~The process may~~ begin no earlier than February 1 of the prior school year and must end on ~~authorize submission of~~ applications until November 15. ~~The process must be in a manner that creates a written or electronic record of the application request and the date of receipt of the application request.~~ Applications received after November 15 ~~the deadline~~ may be considered for scholarship award in the subsequent fiscal year.

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

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

4. Submit to the department the verified list of scholarship students eligible to receive a quarterly payment 30

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635 days before the release of each quarterly payment established in
636 paragraph (12)(a). If applicable, verification must include
637 confirmation of withdrawal from a public school. Quarterly
638 payment requests must include the Florida student identification
639 number when assigned by the department.

640 5.4. Award scholarships in priority order pursuant to
641 paragraph (3)(a).

642 6.5. Establish and maintain separate scholarship accounts
643 for each eligible student. For each account, the organization
644 must maintain a record of accrued interest that is retained in
645 the student's account and available only for authorized
646 scholarship program expenditures.

647 7.6. Permit eligible students to use scholarship program
648 funds for the purposes specified in paragraph (4)(a), as
649 authorized in the organization's purchasing handbook, by paying
650 for the authorized use directly, then submitting a reimbursement
651 request to the eligible nonprofit scholarship-funding
652 organization. However, an eligible nonprofit scholarship-funding
653 organization may require the use of an online platform for
654 direct purchases of products so long as such use does not limit
655 a parent's choice of curriculum or academic programs. If a
656 parent purchases a product identical to one offered by an
657 organization's online platform for a lower price, the
658 organization must reimburse the parent the cost of the product.

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659 8. Comply with all requirements for the release of state
660 funds for scholarship students established in subsections (10)
661 and (12).

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

665 ~~9.8.~~ Notify the department about any violation of this
666 section.

667 ~~10.9.~~ Document each student's eligibility for each a
668 fiscal year before awarding a new or renewed ~~granting a~~
669 scholarship for that fiscal year. A student is ineligible for a
670 scholarship if the student's account has been inactive for 2
671 consecutive fiscal years.

672 ~~11.10.~~ Notify each parent that participation in the
673 scholarship program does not guarantee enrollment.

674 ~~12.a.11.~~ Commit scholarship funds on behalf of the student
675 for tuition and fees for which the parent is responsible for
676 payment at an eligible ~~the participating~~ private school before
677 using scholarship account funds for additional authorized uses
678 under paragraph (4) (a).

679 b. Make payment for tuition and fees for full-time
680 enrollment at an eligible private school within 7 business days
681 after receiving approval by the parent pursuant to paragraph
682 (10) (a). Payment must be by funds transfer or any other means of

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683 payment that the department deems to be commercially viable or
684 cost-effective.

685 13. Recover funds improperly received or retained by an
686 eligible private school. Funds are considered improperly
687 received or retained when the private school verifies enrollment
688 and attendance of a student enrolled and in attendance at a
689 public school.

690 (b) An eligible nonprofit scholarship-funding organization
691 awarding scholarships to eligible students pursuant to paragraph
692 (3) (b) shall:

693 1. Establish a process for parents whose students were
694 funded a scholarship in the prior school year ~~who are in~~
695 ~~compliance with paragraph (10) (b) to renew their students'~~
696 scholarships. Renewal applications for the 2025-2026 school year
697 and thereafter must provide for a renewal timeline beginning
698 February 1 of the prior school year and ending April 30 of the
699 prior school year. ~~A student's renewal is contingent upon an~~
700 ~~eligible private school providing confirmation of student~~
701 ~~admission pursuant to subsection (9), if applicable. The process~~
702 ~~must require that parents confirm that the scholarship is being~~
703 ~~renewed or declined by May 31.~~

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

706 a. A submission period for submitting an application which
707 must. ~~The process may~~ begin no earlier than February 1 of the

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708 prior school year and end on ~~must authorize the submission of~~
709 ~~applications until~~ November 15. ~~The process must be in a manner~~
710 ~~that creates a written or electronic record of the application~~
711 ~~request and the date of receipt of the application request.~~
712 Applications received after November 15 ~~the deadline~~ may be
713 considered for scholarship award in the subsequent fiscal year.
714 ~~The process must require that parents confirm that the~~
715 ~~scholarship is being accepted or declined by December 15.~~

716 b. Submission of the completed application must be in a
717 manner that creates a written or electronic record of the
718 application and the date of receipt and includes all required
719 documentation for verifying student eligibility.

720 3. Submit to the department the verified list of
721 scholarship students eligible to receive a quarterly payment 30
722 days before the release of each quarterly payment established in
723 paragraph (12) (b). If applicable, verification must include
724 confirmation of withdrawal from a public school. Quarterly
725 payment requests must include the Florida student identification
726 number when assigned by the department.

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

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733 ~~5.3.~~ Review applications and award scholarships using the
734 following priorities:

735 a. Renewing students from the previous school year.

736 b. An eligible student who is determined eligible ~~meets~~
737 ~~the criteria~~ for a new scholarship ~~an initial award~~ pursuant to
738 paragraph (3)(b) on a first-come, first-served basis.

739 ~~6.4.~~ Establish and maintain separate accounts for each
740 eligible student. For each account, the organization must
741 maintain a record of accrued interest that is retained in the
742 student's account and available only for authorized scholarship
743 ~~program~~ expenditures.

744 ~~7.5.~~ Verify qualifying educational expenditures pursuant
745 to the requirements of paragraph (4)(b).

746 ~~8.6.~~ Return any remaining scholarship ~~program~~ funds to the
747 department pursuant to paragraph (6)(b).

748 ~~9.7.~~ Notify the parent about the availability of, and the
749 requirements associated with requesting, an initial IEP or IEP
750 reevaluation every 3 years for each student participating in the
751 program.

752 ~~10.8.~~ Notify the parent of available state and local
753 services, including, but not limited to, services under chapter
754 413.

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

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

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

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

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

(c) An eligible nonprofit scholarship-funding organization may, from eligible contributions received pursuant to s. 1002.395(6)(1)1., use an amount not to exceed 2.5 percent of the total amount of all scholarships funded under this section for administrative expenses associated with performing functions under this section. An organization that, for the prior fiscal year, has complied with the expenditure requirements of s. 1002.395(6)(1)2. ~~s. 1002.395(6)(1)3.~~ may use an amount not to exceed 3 percent. Such administrative expense amount is

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782 considered within the 3-percent limit on the total amount an
783 organization may use to administer scholarships under this
784 chapter.

785 (e) An eligible scholarship-funding organization may not
786 award a scholarship to a student in a school district in which
787 the award will exceed 99 percent of the school district's share
788 of state funding through the Florida Education Finance Program
789 as calculated by the department.

790 (f) An eligible scholarship-funding organization shall
791 provide to the Auditor General any information or documentation
792 requested in connection with an operational audit conducted
793 pursuant to s. 11.45(2)(1) and with an audit of students funded
794 in the Florida Education Finance Program pursuant to s.
795 1010.305.

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

799 (12) SCHOLARSHIP FUNDING AND PAYMENT.—

800 (a)1. The calculated scholarship amount for a
801 participating student determined eligible pursuant to paragraph
802 (3)(a) shall be based upon the grade level and school district
803 in which the student was assigned as 100 percent of the funds
804 per unweighted full-time equivalent in the Florida Education
805 Finance Program for a student in the basic program established
806 pursuant to s. 1011.62(1)(c)1., plus a per-full-time equivalent

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807 share of funds for the categorical programs established in s.
808 1011.62(5), (7)(a), and (16), as funded in the General
809 Appropriations Act.

810 2.a. For renewing scholarship students, the organization
811 must submit the verified list of scholarship students eligible
812 to receive a quarterly payment to the department and, contingent
813 upon compliance with subsection (8) ~~verify the student's~~
814 ~~continued eligibility to participate in the scholarship program~~
815 ~~at least 30 days before each payment. Upon receiving the~~
816 ~~verified list of eligible scholarship students, the department~~
817 shall release, from state funds only, the amount calculated
818 pursuant to subparagraph 1. to the organization for deposit into
819 the student's account in quarterly payments that are released on
820 ~~no later than~~ August 1, November 1, February 1, and April 1 of
821 each school year in which the scholarship is in force. The
822 department may not release state funds for scholarships outside
823 of the authorized quarterly payment schedule.

824 b. For new scholarship students, the organization must
825 submit the verified list of scholarship students eligible to
826 receive a quarterly payment to the department and, contingent
827 upon compliance with subsection (8) ~~verify the student's~~
828 ~~eligibility to participate in the scholarship program at least~~
829 ~~30 days before each payment. Upon receiving the verified list of~~
830 ~~eligible scholarship students, the department shall release,~~
831 from state funds only, the amount calculated pursuant to

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832 subparagraph 1. to the organization for deposit into the
833 student's account in quarterly payments that are released on no
834 ~~later than~~ September 1, November 1, February 1, and April 1 of
835 each school year in which the scholarship is in force. For a
836 student exiting a Department of Juvenile Justice commitment
837 program who chooses to participate in the scholarship program,
838 the amount calculated pursuant to subparagraph 1. must be
839 transferred from the school district in which the student last
840 attended a public school before commitment to the Department of
841 Juvenile Justice. The department may not release state funds for
842 scholarships outside of the authorized quarterly payment
843 schedule.

844 c. The department is authorized to release the state funds
845 contingent upon ~~verification that~~ the organization providing
846 written verification to the department and the Legislature that
847 the organization has complied with the requirements of will
848 ~~comply with~~ s. 1002.395(6)(1) ~~based upon the organization's~~
849 ~~submitted verified list of eligible scholarship students~~
850 ~~pursuant to s. 1002.395.~~

851 d. The department may not release state funds to a
852 scholarship student who has not been assigned a Florida student
853 identification number pursuant to s. 1008.386.

854 ~~3. The initial payment shall be made after the~~
855 ~~organization's verification of admission acceptance, and~~
856 ~~subsequent payments shall be made upon verification of continued~~

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~~enrollment and attendance at the participating private school. Payments for tuition and fees for full-time enrollment shall be made within 7 business days after approval by the parent pursuant to paragraph (10) (a) and the private school pursuant to paragraph (9) (b). Payment must be by funds transfer or any other means of payment that the department deems to be commercially viable or cost-effective. An organization shall ensure that the parent has approved a funds transfer before any scholarship funds are deposited.~~

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

(b)1. For the 2024-2025 school year, the maximum number of scholarships funded under paragraph (3) (b) shall be 72,615. Beginning in the 2025-2026 school year, the maximum number of scholarships funded under paragraph (3) (b) shall annually increase by 5 percent of the state's total exceptional student education full-time equivalent student membership, not including gifted students. The maximum number of scholarships funded shall increase by 1 percent of the state's total exceptional student education full-time equivalent student membership, not including gifted students, in the school year following any school year in which the number of scholarships funded exceeds 95 percent of the number of available scholarships for that school year. An eligible student who meets any of the following requirements

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shall be excluded from the maximum number of students if the student:

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

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

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

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

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

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

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

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

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

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

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

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

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

6.7.a. For renewing scholarship students enrolled in an eligible private school, the organization must submit upon receiving the verified list of eligible scholarship students eligible to receive a quarterly payment to the department and, contingent upon compliance with subsection (8), the department shall release, from state funds only, the amount calculated pursuant to subparagraph 1. to the organization for deposit into

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the student's account in quarterly payments on no later than
August 1, November 1, February 1, and April 1 of each school
year in which the scholarship is in force. The department may
not release state funds for scholarships outside of the
designated quarterly payment schedule.

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

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

~~8. If a scholarship student is attending an eligible~~
~~private school full time, the initial payment shall be made~~
~~after the organization's verification of admission acceptance,~~
~~and subsequent payments shall be made upon verification of~~

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~~continued enrollment and attendance at the eligible private school. Payments for tuition and fees for full-time enrollment shall be made within 7 business days after approval by the parent pursuant to paragraph (10) (b) and the private school pursuant to paragraph (9) (b).~~

~~7.9.~~ Accrued interest in the student's account is in addition to, and not part of, the released state ~~awarded~~ funds. Scholarship Program funds include both the released state ~~awarded~~ funds and accrued interest.

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

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

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

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(d) Within 45 ~~30~~ days after each quarterly ~~the~~ release of state funds pursuant to paragraphs (a) and (b), the eligible scholarship-funding organization shall certify to the department the amount of state funds deposited into ~~distributed for~~ student scholarship accounts ~~scholarships~~. If the amount of state funds released by the department is more than the amount deposited into student scholarship accounts ~~distributed by the organization~~, the department must ~~is authorized to~~ adjust the amount of the overpayment in the subsequent quarterly payment release.

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

1002.395 Florida Tax Credit Scholarship Program.—

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

(b) "Choice navigator" means an individual who meets the requirements of sub-subparagraph (6)(d)5.g. ~~(6)(d)4.g.~~ and who provides consultations, at a mutually agreed upon location, on the selection of, application for, and enrollment in educational options addressing the academic needs of a student; curriculum selection; and advice on career and postsecondary education

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

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

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

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

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

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1054 (d)1. For the 2023-2024 school year, may fund no more than
1055 20,000 scholarships for students who are enrolled pursuant to
1056 paragraph (7)(b). The number of scholarships funded for such
1057 students may increase by 40,000 in each subsequent school year
1058 pursuant paragraph (g). This subparagraph is repealed July 1,
1059 2027.

1060 2. Shall establish a process for parents whose students
1061 received a scholarship in the prior year and who are in
1062 compliance with paragraph (7)(a) to renew their students'
1063 scholarships. Renewal applications for the 2025-2026 school year
1064 and thereafter must provide for a renewal timeline beginning
1065 February 1 of the prior school year and ending April 30 of the
1066 prior school year. ~~A student's renewal is contingent upon an~~
1067 ~~eligible private school providing confirmation of admission~~
1068 ~~pursuant to subsection (8).~~ The process must require that
1069 parents confirm that the scholarship is being renewed and submit
1070 all required documentation for verifying eligibility ~~that the~~
1071 ~~scholarship is being renewed or declined~~ by May 31. A parent's
1072 failure to comply with the May 31 deadline shall result in the
1073 scholarship being deemed declined.

1074 3.a. Shall establish a process that allows a parent to
1075 apply for a new scholarship which begins no earlier than
1076 February 1 of the prior school year and ends on November 15.
1077 Applications received after November 15 may be considered for
1078 scholarship award in the subsequent fiscal year.

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

4. Shall submit to the Department of Education the verified list of scholarship students eligible to receive a quarterly payment 30 days before the release of the quarterly payment established in subsection (11). Verification must include confirmation of withdrawal from a public school, if applicable, and inclusion of the Florida student identification number when assigned by the Department of Education.

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

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

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

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

d. Tuition and fees associated with full-time or part-time enrollment in a home education instructional program; an

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1104 eligible postsecondary educational institution or a program
1105 offered by the postsecondary educational institution, unless the
1106 program is subject to s. 1009.25 or reimbursed pursuant to s.
1107 1009.30; an approved preapprenticeship program as defined in s.
1108 446.021(5) which is not subject to s. 1009.25 and complies with
1109 all applicable requirements of the Department of Education
1110 pursuant to chapter 1005; a private tutoring program authorized
1111 under s. 1002.43; a virtual program offered by a department-
1112 approved private online provider that meets the provider
1113 qualifications specified in s. 1002.45(2)(a); the Florida
1114 Virtual School as a private paying student; or an approved
1115 online course offered pursuant to s. 1003.499 or s. 1004.0961.

1116 e. Fees for nationally standardized, norm-referenced
1117 achievement tests, Advanced Placement Examinations, industry
1118 certification examinations, assessments related to postsecondary
1119 education, or other assessments.

1120 f. Contracted services provided by a public school or
1121 school district, including classes. A student who receives
1122 contracted services under this sub-subparagraph is not
1123 considered enrolled in a public school for eligibility purposes
1124 as specified in subsection (11) but rather attending a public
1125 school on a part-time basis as authorized under s. 1002.44. A
1126 school district may not report a student who is receiving
1127 contracted services under this sub-subparagraph for funding in
1128 the Florida Education Finance Program.

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

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

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

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1154 2. Establish a process for parents whose students received
1155 a scholarship in the prior year ~~who are in compliance with~~
1156 ~~paragraph (7)(b)~~ to renew their students' scholarships. Renewal
1157 scholarship applications for the 2025-2026 school year and
1158 thereafter must provide for a renewal timeline beginning
1159 February 1 of the prior school year and ending April 30 of the
1160 prior school year. The process must require that parents confirm
1161 that the scholarship is being renewed and submit all required
1162 documentation for verifying eligibility, including the updated
1163 student learning plan, or declined by May 31. A parent's failure
1164 to comply with the May 31 deadline shall result in the
1165 scholarship being deemed declined.

1166 3. Submit to the Department of Education the verified list
1167 of scholarship students eligible to receive a quarterly payment
1168 30 days before the release of the quarterly payment established
1169 in subsection (11). Verification must include confirmation of
1170 student withdrawal from a public school, if applicable, and
1171 inclusion of the Florida student identification number when
1172 assigned by the Department of Education.

1173 ~~4.3.~~ Maintain a signed agreement from the parent which
1174 constitutes compliance with the attendance requirements under
1175 ss. 1003.01(16) and 1003.21(1).

1176 ~~5.4.~~ Receive eligible student test scores and, beginning
1177 with the 2027-2028 school year, by August 15, annually report

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test scores for students pursuant to paragraph (7) (b) to a state university pursuant to paragraph (9) (f).

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

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

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

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

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

(1)1. May use eligible contributions received pursuant to this section and ss. 212.099, 212.1831, and 212.1832 during the state fiscal year in which such contributions are collected for administrative expenses if the organization has operated as an eligible nonprofit scholarship-funding organization for at least the preceding 3 fiscal years and did not have any findings of material weakness or material noncompliance in its most recent audit under paragraph (o) or is in good standing in each state in which it administers a scholarship program and the audited financial statements for the preceding 3 fiscal years are free of material misstatements and going concern issues.

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

~~Administrative expenses may include developing or contracting with rideshare programs or facilitating carpool strategies for recipients of a transportation scholarship under s. 1002.394. No~~

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funds authorized under this subparagraph shall be used for lobbying or political activity or expenses related to lobbying or political activity. Up to one-third of the funds authorized for administrative expenses under this subparagraph may be used for expenses related to the recruitment of contributions from taxpayers. An eligible nonprofit scholarship-funding organization may not charge an application fee.

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

~~2.3. Must disburse expend for annual or partial-year scholarships an amount equal to or greater than 85 75 percent of all net eligible contributions, as defined in subsection (2), remaining after administrative expenses during the ~~state~~ fiscal year in which such eligible contributions are collected. No more than 15 25 percent of such net eligible contributions or the amount adopted by the Education Estimating Conference pursuant to s. 216.136(4), whichever is less, may be carried forward to the following ~~state~~ fiscal year. All ~~amounts carried forward, for audit purposes, must be specifically identified for particular students, by student name and the name of the school to which the student is admitted, subject to the requirements of ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g, and the applicable rules and regulations issued pursuant thereto. Any~~ amounts carried forward shall be expended for annual or partial-~~

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year scholarships in the following ~~state~~ fiscal year. Eligible contributions remaining on June 30 of each year that are in excess of the 15 ~~25~~ percent that may be carried forward shall be ~~used to provide scholarships to eligible students or~~ transferred to other eligible nonprofit scholarship-funding organizations to provide scholarships for eligible students. All transferred funds must be deposited by each eligible nonprofit scholarship-funding organization receiving such funds into its scholarship account. All transferred amounts received by any eligible nonprofit scholarship-funding organization must be separately disclosed in the annual financial audit required under paragraph (o). For purposes of this subparagraph and subparagraph 3., the term "disburse" means to pay scholarship funds to students verified as eligible in accordance with subsection (7).

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

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

(p) Must prepare and submit quarterly reports to the Department of Education pursuant to paragraph (9)(i). Within 30 days after receipt of the quarterly report, the Department of

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1278 Education shall submit a copy of the quarterly report to the
1279 Legislature ~~In addition, an eligible nonprofit scholarship-~~
1280 ~~funding organization must submit in a timely manner the verified~~
1281 ~~list of eligible scholarship students and any information~~
1282 ~~requested by the Department of Education relating to the~~
1283 ~~scholarship program.~~

1284 (q)1.a. Must participate in the joint development of
1285 agreed-upon procedures during the 2025-2026 ~~2009-2010~~ state
1286 fiscal year. The agreed-upon procedures must uniformly apply to
1287 all private schools and must determine, at a minimum, whether
1288 the private school has been verified as eligible by the
1289 Department of Education under s. 1002.421; has an adequate
1290 accounting system, system of financial controls, process for
1291 verifying student attendance, and process for deposit and
1292 classification of scholarship funds; and has properly expended
1293 scholarship funds for education-related expenses. During the
1294 development of the procedures, the participating scholarship-
1295 funding organizations shall specify guidelines governing the
1296 materiality of exceptions that may be found during the
1297 accountant's performance of the procedures. The procedures and
1298 guidelines shall be provided to private schools and the
1299 Commissioner of Education by March 15, 2026 ~~2011~~.

1300 b. Must participate in a joint review of the agreed-upon
1301 procedures and guidelines developed under sub-subparagraph a.,
1302 by February of each biennium, if the scholarship-funding

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organization provided more than \$250,000 in scholarship funds under this chapter during the state fiscal year preceding the biennial review. If the procedures and guidelines are revised, the revisions must be provided to private schools and the Commissioner of Education by March 15 of the year in which the revisions were completed. The revised agreed-upon procedures and guidelines shall take effect the subsequent school year.

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

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

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

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

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(t)1. Must develop a purchasing handbook that includes policies for authorized uses of scholarship funds under paragraph (d) and s. 1002.394(4)(a). The handbook must include, at a minimum, a routinely updated list of prohibited items and services, and items or services that require preauthorization or additional documentation. Annually ~~By August 1, 2024, and by each July 1 thereafter,~~ the purchasing handbook must be provided to the Commissioner of Education and published on the eligible nonprofit scholarship-funding organization's website. Any revisions must be provided to the commissioner and published on the organization's website within 30 days after such revisions.

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

3. If the organization fails to submit the purchasing handbook required by subparagraph 1., the Department of Education may assess a financial penalty, not to exceed \$10,000,

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as prescribed by State Board of Education rule. This subparagraph expires July 1, 2026.

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

(z) Must recover funds improperly received or retained by a private school. Funds are considered improperly received or retained when the private school verifies enrollment and attendance of a student enrolled and in attendance at a public school.

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

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

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

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1376 (a) A parent who applies for a scholarship whose student
1377 will be enrolled full time in an eligible private school must:

1378 1. Select an eligible private school and apply for the
1379 admission of his or her child.

1380 ~~2. Request the scholarship by the date established by the~~
1381 ~~organization in a manner that creates a written or electronic~~
1382 ~~record of the request and the date of receipt of the request.~~

1383 2.3.a. Beginning with new applications for the 2025-2026
1384 school year and thereafter, comply with the application process
1385 established in paragraph (6)(d) and notify the nonprofit
1386 scholarship-funding organization that the scholarship is being
1387 accepted by July 1 to be eligible for the first quarter payment,
1388 by September 1 to be eligible for the second quarter payment,
1389 and by December 1 to be eligible for the third quarter payment.
1390 All notifications must include confirmation of the student's
1391 admission acceptance at an eligible private school pursuant to
1392 subsection (8). A scholarship is deemed declined if notification
1393 is not received by December 1 ~~notify the organization by a date~~
1394 ~~set by the organization that the scholarship is being accepted~~
1395 ~~or declined.~~

1396 b. Beginning with renewal applications for the 2025-2026
1397 school year and thereafter, notify the organization by May 31
1398 that the scholarship is being renewed by submitting all required
1399 documentation, including confirmation of the student's admission
1400 acceptance at an eligible private school pursuant to subsection

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1401 (8). A scholarship is deemed ~~or~~ declined if notification is not
1402 received by May 31.

1403 3.4. Inform the applicable school district when the parent
1404 withdraws his or her student from a public school to attend an
1405 eligible private school.

1406 4.5. Require his or her student participating in the
1407 program to remain in attendance at the eligible private school
1408 throughout the school year unless excused by the school for
1409 illness or other good cause and comply with the private school's
1410 published policies.

1411 5.6. Meet with the eligible private school's principal or
1412 the principal's designee to review the school's academic
1413 programs and policies, specialized services, code of student
1414 conduct, and attendance policies before enrollment.

1415 6.7. Require his or her student participating in the
1416 program to take the norm-referenced assessment offered by the
1417 eligible participating private school. The parent may also
1418 choose to have the student participate in the statewide
1419 assessments pursuant to s. 1008.22. If the parent requests that
1420 the student participating in the program take statewide
1421 assessments pursuant to s. 1008.22 and the eligible
1422 participating private school has not chosen to offer and
1423 administer the statewide assessments, the parent is responsible
1424 for transporting the student to the assessment site designated
1425 by the school district.

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1426 ~~7.8.~~ Approve each quarterly payment established in
1427 paragraph (11)(b) before the scholarship funds may be deposited
1428 by funds transfer. The parent may not designate any entity or
1429 individual associated with the eligible ~~participating~~ private
1430 school as the parent's attorney in fact to approve a funds
1431 transfer. A participant who fails to comply with this paragraph
1432 forfeits the scholarship.

1433 ~~8.9.~~ Authorize the nonprofit scholarship-funding
1434 organization to access information needed for income eligibility
1435 determination and verification held by other state or federal
1436 agencies, including the Department of Revenue, the Department of
1437 Children and Families, the Department of Education, the
1438 Department of Commerce, and the Agency for Health Care
1439 Administration, for students seeking priority eligibility.

1440 ~~9.10.~~ Agree to have the organization commit scholarship
1441 funds on behalf of his or her student for tuition and fees for
1442 which the parent is responsible for payment at the eligible
1443 ~~participating~~ private school before using scholarship account
1444 funds for additional authorized uses under paragraph (6)(d). A
1445 parent is responsible for all eligible expenses in excess of the
1446 amount of the scholarship.

1447 ~~10.11.~~ Comply with the scholarship application and renewal
1448 processes and requirements established by this section ~~the~~
1449 ~~organization.~~

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1450 (b) A parent whose student will not be enrolled full time
1451 in a public or private school must:

1452 1. ~~Apply to an eligible nonprofit scholarship-funding~~
1453 ~~organization to participate in the program as a personalized~~
1454 ~~education student by a date set by the organization. The request~~
1455 ~~must be communicated directly to the organization in a manner~~
1456 ~~that creates a written or electronic record of the request and~~
1457 ~~the date of receipt of the request.~~ Beginning with new and
1458 renewal applications for the 2025-2026 school year and
1459 thereafter, comply with the application process established in
1460 paragraph (6) (e) ~~a parent must notify the organization by May 31~~
1461 ~~that the scholarship is being accepted, renewed, or declined.~~

1462 2. Sign an agreement with the organization and annually
1463 submit a sworn compliance statement to the organization to
1464 satisfy or maintain program eligibility, including eligibility
1465 to receive and spend program payments, by:

1466 a. Affirming that the program funds are used only for
1467 authorized purposes serving the student's educational needs, as
1468 described in paragraph (6) (d), and that they will not receive a
1469 payment, refund, or rebate of any funds provided under this
1470 section.

1471 b. Affirming that the parent is responsible for all
1472 eligible expenses in excess of the amount of the scholarship and
1473 for the education of his or her student.

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

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

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

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

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

An eligible nonprofit scholarship-funding organization may not further regulate, exercise control over, or require

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documentation beyond the requirements of this subsection unless the regulation, control, or documentation is necessary for participation in the program.

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

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

2. For parents in compliance with paragraph (7)(a), cross-check each eligible nonprofit scholarship-funding organization's
~~Notify eligible nonprofit scholarship-funding organizations of the deadlines for submitting the~~ verified list of eligible scholarship students to receive a quarterly payment pursuant to paragraph (11)(b) and the full-time equivalent student membership survey data pursuant to s. 1011.62(1)(a), to verify that the school district has not also reported the student as a public school student. If both the organization and a school district have reported the same full-time equivalent student for funding, the Department of Education must use the most recent student attendance records and reports data collected pursuant to s. 1003.23 to resolve the reporting duplication. The organization may not release scholarship funds until the reporting duplication has been resolved; ~~cross-check the verified list with the public school enrollment lists to avoid~~

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~~duplication; and, when the Florida Education Finance Program is
recalculated, adjust the amount of state funds allocated to
school districts through the Florida Education Finance Program
based upon the results of the cross-check.~~

3. For parents in compliance with paragraph (7)(b), cross-
check most recent student attendance records and reports data
collected pursuant to s. 1003.23 and the full-time equivalent
student membership survey data pursuant to s. 1011.62(1)(a); the
most recent home education program data pursuant to s. 1002.41;
and the most recent private school data pursuant to s. 1002.42
before the eligible nonprofit scholarship-funding organization's
release of each quarterly payment established in subsection
(11). If the cross-check results in a student also being
reported by a school district or a private school or registered
in a home education program pursuant to s. 1002.41, the
Department of Education must resolve the reporting duplication.
The organization may not release scholarship funds until the
reporting duplication has been resolved.

(i) Require quarterly reports by an eligible nonprofit
scholarship-funding organization regarding the number of
students participating in the program; the private schools at
which the students are enrolled; the number of scholarship
applications received, the number of applications processed
within 30 days after receipt, and the number of incomplete
applications received; data related to reimbursement

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1549 submissions, including the average number of days for a
1550 reimbursement to be reviewed and the average number of days for
1551 a reimbursement to be approved; any parent input and feedback
1552 collected regarding the program; and any other information
1553 deemed necessary by the Department of Education. Within 30 days
1554 after receipt of each quarterly report, the Department of
1555 Education shall submit a copy of the report to the Legislature.

1556 (11) SCHOLARSHIP AMOUNT AND PAYMENT.—

1557 (b) Payment of the scholarship by the eligible nonprofit
1558 scholarship-funding organization shall be by funds transfer,
1559 including, but not limited to, debit cards, electronic payment
1560 cards, or any other means of payment that the Department of
1561 Education deems to be commercially viable or cost-effective.
1562 Before the deposit of scholarship funds into a student's
1563 account, his or her parent must approve the transfer of funds ~~An~~
1564 ~~eligible nonprofit scholarship-funding organization shall ensure~~
1565 ~~that the parent has approved a funds transfer before any~~
1566 ~~scholarship funds are deposited.~~

1567 (c) 1.a. If a scholarship student is attending an eligible
1568 private school full time, the first quarterly ~~initial~~ payment
1569 shall be made after the organization's verification of admission
1570 acceptance and the Department of Education's completion of the
1571 cross-check required under subsection (9). ~~and~~

1572 b. Subsequent quarterly payments shall be made upon
1573 verification of continued enrollment and attendance at the

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eligible private school and completion of the cross-check
required under subsection (9).

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

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

(d)1. For new scholarship students and renewing scholarship students not enrolled in a private school, payment of the scholarship shall be made by the eligible nonprofit scholarship-funding organization on September 1, November 1, February 1, and April 1 of each school year in which the scholarship is in force ~~no less frequently than on a quarterly basis.~~

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

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

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1598 1002.421 State school choice scholarship program
1599 accountability and oversight.—

1600 (3) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—
1601 The Commissioner of Education:

1602 (a) Shall deny, suspend, or revoke a private school's
1603 participation in a scholarship program if it is determined that
1604 the private school has failed to comply with this section, has
1605 failed to reimburse a scholarship-funding organization for funds
1606 improperly received, or exhibits a previous pattern of failure
1607 to comply. However, if the noncompliance is correctable within a
1608 reasonable amount of time, not to exceed 45 days, and if the
1609 health, safety, or welfare of the students is not threatened,
1610 the commissioner may issue a notice of noncompliance which
1611 provides the private school with a timeframe within which to
1612 provide evidence of compliance before taking action to suspend
1613 or revoke the private school's participation in the scholarship
1614 program.

1615 **Section 5. Subsection (2) of section 1008.386, Florida**
1616 **Statutes, is amended to read:**

1617 1008.386 Florida student identification.—

1618 (2) The department shall establish a process for assigning
1619 a unique Florida student identification number to each student
1620 in the state, including students participating in a state
1621 scholarship program under chapter 1002. at which time A school
1622 district and an eligible nonprofit scholarship-funding

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organization administering the state scholarship program
pursuant to chapter 1002 may not use social security numbers as
student identification numbers ~~in its management information~~
~~systems.~~

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

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

(1) The Auditor General shall annually ~~periodically~~
examine the records of school districts and eligible
scholarship-funding organizations administering a state
scholarship program pursuant to chapter 1002, ~~and other agencies~~
~~as appropriate,~~ to determine compliance with law and State Board
of Education rules relating to the classification, assignment,
and verification of full-time equivalent students ~~student~~
~~enrollment~~ and student transportation reported for funding in
~~under~~ the Florida Education Finance Program.

(2) If it is determined that the approved criteria and
procedures for the placement and reporting of full-time
equivalent students and the conduct of programs have not been
followed by the district or the scholarship-funding
organization, appropriate adjustments in the full-time
equivalent student count for that district and scholarship-
funding organization must be made, and any excess funds must be
deducted from subsequent allocations of state funds to that

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1648 district or scholarship-funding organization. As provided for by
1649 rule, if errors in a specific program of a district or a
1650 scholarship-funding organization recur in consecutive years due
1651 to lack of corrective action by the district or the scholarship-
1652 funding organization, adjustments may be made based upon
1653 statistical estimates of error projected to the overall district
1654 or scholarship-funding organization program.

1655 **Section 7. Section 1011.61, Florida Statutes, is amended**
1656 **to read:**

1657 1011.61 Definitions.—Notwithstanding the provisions of s.
1658 1000.21, the following terms are defined as follows for the
1659 purposes of the Florida Education Finance Program:

1660 (1) A "full-time equivalent student" in each program of
1661 the district is defined in terms of full-time students and part-
1662 time students as follows:

1663 (a) A "full-time student" is one student on the membership
1664 roll of one school program or a combination of school programs
1665 listed in s. 1011.62(1)(c) for the school year or the equivalent
1666 for:

1667 1. Instruction in a standard school, comprising not less
1668 than 900 net hours for a student in or at the grade level of 4
1669 through 12, or not less than 720 net hours for a student in or
1670 at the grade level of kindergarten through grade 3 or in an
1671 authorized prekindergarten exceptional program; or

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

(b) A "part-time student" is a student on the active membership roll of a school program or combination of school programs listed in s. 1011.62(1)(c) who is less than a full-time student. A student who receives instruction in a school that operates for less than the minimum term shall generate full-time equivalent student membership proportional to the amount of instructional hours provided by the school divided by the minimum term requirement as provided in s. 1011.60(2).

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

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

b. A combination of full-time or part-time students in any one of the programs listed in s. 1011.62(1)(c) which is the

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equivalent of one full-time student based on the following calculations:

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

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

(III) A full-time equivalent student for students in kindergarten through grade 12 in a full-time virtual instruction program under s. 1002.45 or a virtual charter school under s. 1002.33 shall consist of six full-credit completions or the prescribed level of content that counts toward promotion to the next grade in programs listed in s. 1011.62(1)(c). Credit completions may be a combination of full-credit courses or half-credit courses.

(IV) A full-time equivalent student for students in kindergarten through grade 12 in a part-time virtual instruction program under s. 1002.45 shall consist of six full-credit

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1721 completions in programs listed in s. 1011.62(1)(c)1. and 3.

1722 Credit completions may be a combination of full-credit courses
1723 or half-credit courses.

1724 (V) A Florida Virtual School full-time equivalent student
1725 shall consist of six full-credit completions or the prescribed
1726 level of content that counts toward promotion to the next grade
1727 in the programs listed in s. 1011.62(1)(c)1. and 3. for students
1728 participating in kindergarten through grade 12 part-time virtual
1729 instruction and the programs listed in s. 1011.62(1)(c) for
1730 students participating in kindergarten through grade 12 full-
1731 time virtual instruction. Credit completions may be a
1732 combination of full-credit courses or half-credit courses.

1733 (VI) Each successfully completed full-credit course earned
1734 through an online course delivered by a district other than the
1735 one in which the student resides shall be calculated as 1/6
1736 FTE.

1737 (VII) A full-time equivalent student for courses requiring
1738 passage of a statewide, standardized end-of-course assessment
1739 under s. 1003.4282 to earn a standard high school diploma shall
1740 be defined and reported based on the number of instructional
1741 hours as provided in this subsection.

1742 (VIII) For students enrolled in a school district as a
1743 full-time student, the district may report 1/6 FTE for each
1744 student who passes a statewide, standardized end-of-course
1745 assessment without being enrolled in the corresponding course.

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1746 2. A student in membership in a program scheduled for more
1747 or less than 180 school days or the equivalent on an hourly
1748 basis as specified by rules of the State Board of Education is a
1749 fraction of a full-time equivalent membership equal to the
1750 number of instructional hours in membership divided by the
1751 appropriate number of hours set forth in subparagraph (a)1.;
1752 however, for the purposes of this subparagraph, membership in
1753 programs scheduled for more than 180 days is limited to students
1754 enrolled in:

1755 a. Juvenile justice education programs.

1756 b. The Florida Virtual School.

1757 c. Virtual instruction programs and virtual charter
1758 schools for the purpose of course completion and credit recovery
1759 pursuant to ss. 1002.45 and 1003.498. Course completion applies
1760 only to a student who is reported during the second or third
1761 membership surveys and who does not complete a virtual education
1762 course by the end of the regular school year. The course must be
1763 completed no later than the deadline for amending the final
1764 student enrollment survey for that year. Credit recovery applies
1765 only to a student who has unsuccessfully completed a traditional
1766 or virtual education course during the regular school year and
1767 must retake the course in order to be eligible to graduate with
1768 the student's class.

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

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

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

(2)(3) For the purpose of calculating the Florida Education Finance Program, ~~"current operation program,"~~ a student is in membership until he or she withdraws or until the close of the 11th consecutive school day of his or her absence, whichever comes first.

(3)(4) The maximum value for funding a student in kindergarten through grade 12 or in a prekindergarten program for exceptional children as provided in s. 1003.21(1)(e) shall

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be the sum of the calculations in paragraphs (a), (b), and (c) as calculated by the department.

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

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

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

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

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

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

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

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

(a) 1. Determination of full-time equivalent membership.—During the fiscal year ~~each of several school weeks~~, including scheduled intersessions of a year-round school program during the fiscal year, each district shall complete four full-time equivalent a program membership surveys survey of each school ~~shall be made by each district~~ by aggregating the full-time

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equivalent student membership of each program by school ~~and by~~
~~district.~~

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

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

c. Survey 3 shall cover the second 90 days of the 180-day school year. Survey 3 shall be conducted in the third full week of January, and all districts shall report their survey data to the department within 1 week after the completion of the survey. Districts shall report all final amended survey data to the department by March 30.

d. Survey 4 shall cover the period from the end of the 180-day school year to the end of the fiscal year. Survey 4 shall be conducted in the third full week of June, and districts shall report their survey data to the department within 1 week

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1868 after completion of the survey. Districts shall report all final
1869 amended survey data to the department by August 15 ~~The~~
1870 ~~department shall establish the number and interval of membership~~
1871 ~~calculations, except that for basic and special programs such~~
1872 ~~calculations shall not exceed nine for any fiscal year. The~~
1873 ~~district's full-time equivalent membership shall be computed and~~
1874 ~~currently maintained in accordance with regulations of the~~
1875 ~~commissioner.~~

1876 2. All final reported full-time equivalent survey data
1877 must include the unduplicated count of both school district
1878 full-time equivalent students and full-time equivalent Family
1879 Empowerment Scholarship students.

1880 (b) Determination of base student allocation.—The base
1881 student allocation for the Florida Education Finance Program for
1882 kindergarten through grade 12 shall be determined annually by
1883 the Legislature and shall be that amount prescribed in the
1884 current year's General Appropriations Act.

1885 (c) Determination of programs.—Cost factors based on
1886 desired relative cost differences between the following programs
1887 shall be established in the annual General Appropriations Act.
1888 The cost factor for secondary career education programs must be
1889 greater than the cost factor for basic programs grade 9 through
1890 12. The Commissioner of Education shall specify a matrix of
1891 services and intensity levels to be used by districts in the
1892 determination of the two weighted cost factors for exceptional

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students with the highest levels of need. For these students, the funding support level shall fund the exceptional students' education program, with the exception of extended school year services for students with disabilities.

1. Basic programs.—

a. Kindergarten and grades 1, 2, and 3.

b. Grades 4, 5, 6, 7, and 8.

c. Grades 9, 10, 11, and 12.

2. Programs for exceptional students.—

a. Support Level IV.

b. Support Level V.

3. Secondary career education programs.

4. English for Speakers of Other Languages.

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

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

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

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

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

3. For school districts with a full-time equivalent student membership of fewer than 10,000 and fewer than three full-time equivalent students in exceptional student education support levels IV and V, in addition to the program cost factors established in subparagraph 1., these students are eligible for the exceptional student education guaranteed allocation established pursuant to subsection (8).

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

~~(e)-(f)~~ Small district factor.—An additional value per full-time equivalent student membership is provided to each school district with a full-time equivalent student membership of fewer than 20,000 full-time equivalent students which is in a fiscally constrained county as described in s. 218.67(1). The amount of the additional value shall be specified in the General Appropriations Act.

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1967 ~~(f)-(g)~~ Education for speakers of other languages.—A school
1968 district or a full-time virtual instruction program is eligible
1969 to report full-time equivalent student membership in the ESOL
1970 program in the Florida Education Finance Program provided the
1971 following conditions are met:

1972 1. The school district or the full-time virtual
1973 instruction program has a plan approved by the Department of
1974 Education.

1975 2. The eligible student is identified and assessed as
1976 limited English proficient based on assessment criteria.

1977 3.a. An eligible student may be reported for funding in
1978 the ESOL program for a base period of 3 years. However, a
1979 student whose English competency does not meet the criteria for
1980 proficiency after 3 years in the ESOL program may be reported
1981 for a fourth, fifth, and sixth year of funding, provided his or
1982 her limited English proficiency is assessed and properly
1983 documented prior to his or her enrollment in each additional
1984 year beyond the 3-year base period.

1985 b. If a student exits the program and is later
1986 reclassified as limited English proficient, the student may be
1987 reported in the ESOL program for funding for an additional year,
1988 or extended annually for a period not to exceed a total of 6
1989 years pursuant to this paragraph, based on an annual evaluation
1990 of the student's status.

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1991 4. An eligible student may be reported for funding in the
1992 ESOL program for membership in ESOL instruction in English and
1993 ESOL instruction or home language instruction in the basic
1994 subject areas of mathematics, science, social studies, and
1995 computer literacy.

1996 (g)~~(h)~~ Small, isolated schools.—Districts that levy the
1997 maximum nonvoted discretionary millage, exclusive of millage for
1998 capital outlay purposes levied pursuant to s. 1011.71(2), may
1999 calculate full-time equivalent students for small, isolated
2000 district-operated schools by multiplying the number of
2001 unweighted full-time equivalent students times 2.75. The
2002 following schools may be considered small, isolated schools
2003 under this paragraph:

2004 1. A high school that is located at least 28 miles by the
2005 shortest route from another high school; has been serving
2006 students primarily in basic studies provided by sub-
2007 subparagraphs (c)1.b. and c. and may include subparagraph (c)4.;
2008 and has a membership of at least 28, but no more than 100,
2009 students in grades 9 through 12; or

2010 2. A district elementary school with a grade configuration
2011 of kindergarten through grade 5, but which may also include
2012 prekindergarten, grade 6, grade 7, or grade 8, that is located
2013 at least 35 miles by the shortest route from another elementary
2014 school within the district; has been serving students primarily
2015 in basic studies provided by sub-subparagraphs (c)1.a. and b.

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and may include subparagraph (c)4.; has a student population in which 75 percent or greater of students are eligible for free and reduced-price school lunch; and has a membership of at least 28, but no more than 100, students.

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

1. Full-time equivalent students.—Students enrolled in dual enrollment instruction pursuant to s. 1007.271 may be included in calculations of full-time equivalent student memberships for basic programs for grades 9 through 12 by a district school board. Instructional time for dual enrollment may vary from 900 hours; however, the full-time equivalent student membership value shall be subject to the provisions in s. 1011.61(3) ~~s. 1011.61(4)~~. Dual enrollment full-time equivalent student membership shall be calculated in an amount equal to the hours of instruction that would be necessary to earn the full-time equivalent student membership for an equivalent course if it were taught in the school district. Students in dual enrollment courses may also be calculated as the proportional shares of full-time equivalent enrollments they generate for a Florida College System institution or university conducting the dual enrollment instruction. Early admission students shall be considered dual enrollments for funding purposes. Students may be enrolled in dual enrollment instruction provided by an eligible independent college or

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2041 university and may be included in calculations of full-time
2042 equivalent student memberships for basic programs for grades 9
2043 through 12 by a district school board. However, those provisions
2044 of law which exempt dual enrolled and early admission students
2045 from payment of instructional materials and tuition and fees,
2046 including laboratory fees, shall not apply to students who
2047 select the option of enrolling in an eligible independent
2048 institution. An independent college or university, which is not
2049 for profit, is accredited by a regional or national accrediting
2050 agency recognized by the United States Department of Education,
2051 and confers degrees as defined in s. 1005.02 shall be eligible
2052 for inclusion in the dual enrollment or early admission program.
2053 Students enrolled in dual enrollment instruction shall be exempt
2054 from the payment of tuition and fees, including laboratory fees.
2055 No student enrolled in college credit mathematics or English
2056 dual enrollment instruction shall be funded as a dual enrollment
2057 unless the student has successfully completed the relevant
2058 section of the entry-level examination required pursuant to s.
2059 1008.30.

2060 2. Additional full-time equivalent student membership.—For
2061 students enrolled in an early college program pursuant to s.
2062 1007.273, a value of 0.08 ~~0.16~~ full-time equivalent student
2063 membership shall be calculated for each student who completes a
2064 general education core course through the dual enrollment
2065 program with a grade of "A" or better. For students who are not

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2066 enrolled in an early college program, a value of 0.04 ~~0.08~~ full-
2067 time equivalent student membership shall be calculated for each
2068 student who completes a general education core course through
2069 the dual enrollment program with a grade of "A." A value of 0.04
2070 ~~0.08~~ full-time equivalent student membership must be calculated
2071 for each student who completes a career course through the dual
2072 enrollment program with a grade of "A" in a pathway that leads
2073 to an industry certification that is included on the CAPE
2074 Industry Certification Funding List. In addition, a value of
2075 0.15 ~~0.3~~ full-time equivalent student membership shall be
2076 calculated for any student who receives an associate degree
2077 through the dual enrollment program with a 3.0 grade point
2078 average or better. This value shall be added to the total full-
2079 time equivalent student membership in basic programs for grades
2080 9 through 12 in the subsequent fiscal year. ~~This section shall~~
2081 ~~be effective for credit earned by dually enrolled students for~~
2082 ~~courses taken in the 2020-2021 school year and each school year~~
2083 ~~thereafter. If the associate degree described in this paragraph~~
2084 ~~is earned in 2020-2021 following completion of courses taken in~~
2085 ~~the 2020-2021 school year, then courses taken toward the degree~~
2086 ~~as part of the dual enrollment program before 2020-2021 may not~~
2087 ~~preclude eligibility for the 0.3 additional full-time equivalent~~
2088 ~~student membership bonus.~~ Each school district shall allocate at
2089 least 50 percent of the funds received from the dual enrollment
2090 bonus FTE funding, in accordance with this paragraph, to the

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2091 schools that generated the funds to support student academic
2092 guidance and postsecondary readiness.

2093 3. Qualifying courses.—For the purposes of this paragraph,
2094 general education core courses are those that are identified in
2095 rule by the State Board of Education and in regulation by the
2096 Board of Governors pursuant to s. 1007.25(3).

2097 (i)~~(j)~~ Instruction in exploratory career education.—
2098 Students in grades 7 through 12 who are enrolled for more than
2099 four semesters in exploratory career education may not be
2100 counted as full-time equivalent students for this instruction.

2101 (j)~~(k)~~ Study hall.—A student who is enrolled in study hall
2102 may not be included in the calculation of full-time equivalent
2103 student membership for funding under this section.

2104 (k)~~(l)~~ Calculation of additional full-time equivalent
2105 membership based on International Baccalaureate examination
2106 scores of students.—A value of 0.08 ~~0.16~~ full-time equivalent
2107 student membership shall be calculated for each student enrolled
2108 in an International Baccalaureate course who receives a score of
2109 4 or higher on a subject examination. A value of 0.15 ~~0.3~~ full-
2110 time equivalent student membership shall be calculated for each
2111 student who receives an International Baccalaureate diploma.
2112 Such value shall be added to the total full-time equivalent
2113 student membership in basic programs for grades 9 through 12 in
2114 the subsequent fiscal year. Each school district shall allocate
2115 80 percent of the funds received from International

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Baccalaureate bonus FTE funding to the school program whose students generate the funds and to school programs that prepare prospective students to enroll in International Baccalaureate courses. Funds shall be expended solely for the payment of allowable costs associated with the International Baccalaureate program. Allowable costs include International Baccalaureate annual school fees; International Baccalaureate examination fees; salary, benefits, and bonuses for teachers and program coordinators for the International Baccalaureate program and teachers and coordinators who prepare prospective students for the International Baccalaureate program; supplemental books; instructional supplies; instructional equipment or instructional materials for International Baccalaureate courses; other activities that identify prospective International Baccalaureate students or prepare prospective students to enroll in International Baccalaureate courses; and training or professional learning for International Baccalaureate teachers. School districts shall allocate the remaining 20 percent of the funds received from International Baccalaureate bonus FTE funding for programs that assist academically disadvantaged students to prepare for more rigorous courses. The school district shall distribute to each classroom teacher who provided International Baccalaureate instruction:

1. A bonus in the amount of \$50 for each student taught by the International Baccalaureate teacher in each International

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Baccalaureate course who receives a score of 4 or higher on the International Baccalaureate examination.

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

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

(1) ~~(m)~~ Calculation of additional full-time equivalent membership based on Advanced International Certificate of Education examination scores of students.—A value of 0.08 ~~0.16~~ full-time equivalent student membership shall be calculated for each student enrolled in a full-credit Advanced International Certificate of Education course who receives a score of E or higher on a subject examination. A value of 0.04 ~~0.08~~ full-time equivalent student membership shall be calculated for each student enrolled in a half-credit Advanced International Certificate of Education course who receives a score of E or higher on a subject examination. A value of 0.15 ~~0.3~~ full-time

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2166 equivalent student membership shall be calculated for each
2167 student who receives an Advanced International Certificate of
2168 Education diploma. Such value shall be added to the total full-
2169 time equivalent student membership in basic programs for grades
2170 9 through 12 in the subsequent fiscal year. Each school district
2171 shall allocate at least 80 percent of the funds received from
2172 the Advanced International Certificate of Education bonus FTE
2173 funding, in accordance with this paragraph, to the school
2174 program that generated the funds and to school programs
2175 administered by the University of Cambridge Local Examinations
2176 Syndicate that prepare prospective students to enroll in
2177 Advanced International Certificate of Education courses. These
2178 funds shall be expended solely for the payment of costs
2179 associated with the application and registration process;
2180 program fees and site licenses; training, professional learning,
2181 salaries, benefits, and bonuses for instructional personnel and
2182 program coordinators; examination and diploma fees; membership
2183 fees; supplemental books; instructional supplies, materials, and
2184 equipment; and other activities that identify prospective
2185 Advanced International Certificate of Education students or
2186 prepare prospective students to enroll in Advanced International
2187 Certificate of Education courses. The school district shall
2188 distribute to each classroom teacher who provided Advanced
2189 International Certificate of Education or International General
2190 Certificate of Secondary Education (pre-AICE) instruction:

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2191 1. A bonus in the amount of \$50 for each student taught by
2192 the Advanced International Certificate of Education teacher in
2193 each Advanced International Certificate of Education course who
2194 receives a score of E or higher on the Advanced International
2195 Certificate of Education examination. A bonus in the amount of
2196 \$25 for each student taught by the pre-AICE teacher in each pre-
2197 AICE course who receives a score of E or higher on the pre-AICE
2198 examination.

2199 2. An additional bonus of \$500 to each Advanced
2200 International Certificate of Education teacher in a school
2201 designated with a grade of "D" or "F" who has at least one
2202 student scoring E or higher on the Advanced International
2203 Certificate of Education examination, regardless of the number
2204 of classes taught or of the number of students scoring an E or
2205 higher on the Advanced International Certificate of Education
2206 examination.

2207 3. Additional bonuses of \$250 each to teachers of pre-AICE
2208 classes in a school designated with a grade of "D" or "F" which
2209 has at least one student scoring an E or higher on the pre-AICE
2210 examination in that class. Teachers receiving an award under
2211 subparagraph 2. are not eligible for a bonus under this
2212 subparagraph.
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Bonuses awarded to a teacher according to this paragraph shall be in addition to any regular wage or other bonus the teacher received or is scheduled to receive.

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

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2238 1. A bonus in the amount of \$50 for each student taught by
2239 the Advanced Placement teacher in each advanced placement course
2240 who receives a score of 3 or higher on the College Board
2241 Advanced Placement Examination.

2242 2. An additional bonus of \$500 to each Advanced Placement
2243 teacher in a school designated with a grade of "D" or "F" who
2244 has at least one student scoring 3 or higher on the College
2245 Board Advanced Placement Examination, regardless of the number
2246 of classes taught or of the number of students scoring a 3 or
2247 higher on the College Board Advanced Placement Examination.

2248
2249 Bonuses awarded under this paragraph shall be in addition to any
2250 regular wage or other bonus the teacher received or is scheduled
2251 to receive. For such courses, the teacher shall earn an
2252 additional bonus of \$50 for each student who has a qualifying
2253 score.

2254 (n)~~(o)~~ Calculation of additional full-time equivalent
2255 membership based on successful completion of a career-themed
2256 course pursuant to ss. 1003.491-1003.493, or courses with
2257 embedded CAPE industry certifications or CAPE Digital Tool
2258 certificates, and issuance of industry certification identified
2259 on the CAPE Industry Certification Funding List pursuant to
2260 rules adopted by the State Board of Education or CAPE Digital
2261 Tool certificates pursuant to s. 1003.4203.—

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2262 1.a. A value of 0.0125 ~~0.025~~ full-time equivalent student
2263 membership shall be calculated for CAPE Digital Tool
2264 certificates earned by students in elementary and middle school
2265 grades.

2266 b. A value of 0.05 ~~0.1~~ or 0.1 ~~0.2~~ full-time equivalent
2267 student membership shall be calculated for each student who
2268 completes a course as defined in s. 1003.493(1)(b) or courses
2269 with embedded CAPE industry certifications and who is issued an
2270 industry certification identified annually on the CAPE Industry
2271 Certification Funding List approved under rules adopted by the
2272 State Board of Education. A value of 0.1 ~~0.2~~ full-time
2273 equivalent membership shall be calculated for each student who
2274 is issued a CAPE industry certification that has a statewide
2275 articulation agreement for college credit approved by the State
2276 Board of Education. For CAPE industry certifications that do not
2277 articulate for college credit, the Department of Education shall
2278 assign a full-time equivalent value of 0.05 ~~0.1~~ for each
2279 certification. Middle grades students who earn additional FTE
2280 membership for a CAPE Digital Tool certificate pursuant to sub-
2281 subparagraph a. may not rely solely on the previously funded
2282 examination to satisfy the requirements for earning an industry
2283 certification under this sub-subparagraph. The State Board of
2284 Education shall include the assigned values on the CAPE Industry
2285 Certification Funding List under rules adopted by the state
2286 board. Such value shall be added to the total full-time

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

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

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

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2312 Acceleration Industry Certifications approved by the
2313 commissioner pursuant to ss. 1003.4203(4) and 1008.44.

2314 2. Each district must allocate at least 80 percent of the
2315 funds provided for CAPE industry certification, in accordance
2316 with this paragraph, to the program that generated the funds,
2317 and any remaining funds provided for CAPE industry certification
2318 for school district career and technical education programs.
2319 This allocation may not be used to supplant funds provided for
2320 basic operation of the program.

2321 3. For CAPE industry certifications earned in the 2013-
2322 2014 school year and in subsequent years, the school district
2323 shall distribute to each classroom teacher who provided direct
2324 instruction toward the attainment of a CAPE industry
2325 certification that qualified for additional full-time equivalent
2326 membership under subparagraph 1.:

2327 a. A bonus of \$25 for each student taught by a teacher who
2328 provided instruction in a course that led to the attainment of a
2329 CAPE industry certification on the CAPE Industry Certification
2330 Funding List with a weight of 0.05 ~~0.1~~.

2331 b. A bonus of \$50 for each student taught by a teacher who
2332 provided instruction in a course that led to the attainment of a
2333 CAPE industry certification on the CAPE Industry Certification
2334 Funding List with a weight of 0.1 ~~0.2~~.

2335 c. A bonus of \$75 for each student taught by a teacher who
2336 provided instruction in a course that led to the attainment of a

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

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

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

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

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

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

(q) ~~(r)~~ Extended-school-year program.—It is the intent of the Legislature that students be provided additional instruction by extending the school year to 210 days or more. Districts may

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2386 apply to the Commissioner of Education for funds to be used in
2387 planning and implementing an extended-school-year program.

2388 ~~(r)-(s)~~ Determination of the base Florida Education Finance
2389 Program basic amount for current operation.—The base basic
2390 amount for current operation to be included in the Florida
2391 Education Finance Program for kindergarten through grade 12 for
2392 each district shall be the product of the following:

2393 1. The full-time equivalent student membership in each
2394 program, multiplied by

2395 2. The cost factor for each program as provided in,
2396 ~~adjusted for the maximum as provided by~~ paragraph (c), added to

2397 3. The additional full-time equivalent membership weights
2398 provided in paragraphs (g), (h), (k), (l), (m), (n), and (o),
2399 multiplied by

2400 4.3. The comparable wage factor, if applicable, multiplied
2401 by

2402 5.4. The small district factor, if applicable, and
2403 multiplied by

2404 6.5. The base student allocation.

2405 ~~(t) Computation for funding through the Florida Education~~
2406 ~~Finance Program. The State Board of Education may adopt rules~~
2407 ~~establishing programs, industry certifications, and courses for~~
2408 ~~which the student may earn credit toward high school graduation~~
2409 ~~and the criteria under which a student's industry certification~~
2410 ~~or grade may be rescinded.~~

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2411 (2) DETERMINATION OF COMPARABLE WAGE FACTOR.—

2412 (b) The comparable wage factor for each school district is
2413 used in the calculation of the base Florida Education Finance
2414 Program ~~basic amount for current operation~~ pursuant to
2415 subsection (1) if the comparable wage factor is greater than
2416 1.000.

2417 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The
2418 Legislature shall prescribe the aggregate required local effort
2419 for all school districts collectively as an item in the General
2420 Appropriations Act for each fiscal year. The amount that each
2421 district shall provide annually toward the cost of the Florida
2422 Education Finance Program for kindergarten through grade 12
2423 programs shall be calculated as follows:

2424 (a) Estimated taxable value calculations.—

2425 1.a. Not later than 2 working days before July 19, the
2426 Department of Revenue shall certify to the Commissioner of
2427 Education its most recent estimate of the taxable value for
2428 school purposes in each school district and the total for all
2429 school districts in the state for the current calendar year
2430 based on the latest available data obtained from the local
2431 property appraisers. The value certified shall be the taxable
2432 value for school purposes for that year, and no further
2433 adjustments shall be made, except those made pursuant to
2434 paragraphs (c) and (d), or an assessment roll change required by
2435 final judicial decisions as specified in paragraph (15) (b). Not

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2436 later than July 19, the Commissioner of Education shall compute
2437 a millage rate, rounded to the next highest one one-thousandth
2438 of a mill, which, when applied to 96 percent of the estimated
2439 state total taxable value for school purposes, would generate
2440 the prescribed aggregate required local effort for that year for
2441 all districts. The Commissioner of Education shall certify to
2442 each district school board the millage rate, computed as
2443 prescribed in this subparagraph, as the minimum millage rate
2444 necessary to provide the district required local effort for that
2445 year.

2446 b. The General Appropriations Act shall direct the
2447 computation of the statewide adjusted aggregate amount for
2448 required local effort for all school districts collectively from
2449 ad valorem taxes to ensure that no school district's revenue
2450 from required local effort millage will produce more than 85 ~~90~~
2451 percent of the district's total Florida Education Finance
2452 Program calculation as calculated and adopted by the
2453 Legislature, and the adjustment of the required local effort
2454 millage rate of each district that produces more than 85 ~~90~~
2455 percent of its total Florida Education Finance Program
2456 entitlement to a level that will produce only 85 ~~90~~ percent of
2457 its total Florida Education Finance Program entitlement in the
2458 July calculation.

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

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

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

(5) DISCRETIONARY MILLAGE COMPRESSION SUPPLEMENT.—The Legislature shall prescribe in the General Appropriations Act, pursuant to s. 1011.71(1), the rate of nonvoted current operating discretionary millage that shall be used to calculate a discretionary millage compression supplement. If the prescribed millage generates an amount of funds per unweighted full-time equivalent student for the district that is less than the state average, the district shall receive an amount per full-time equivalent student that, when added to the funds per full-time equivalent student generated by the designated levy, shall equal the state average. The discretionary millage

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2483 compression supplement shall be recalculated during the fiscal
2484 year pursuant to paragraph (1) (a).

2485 (6) STATE-FUNDED DISCRETIONARY CONTRIBUTION.—The state-
2486 funded discretionary contribution is created to fund the
2487 nonvoted discretionary millage for operations pursuant to s.
2488 1011.71(1) and (3) for developmental research schools (lab
2489 schools) established in s. 1002.32, charter schools sponsored by
2490 a Florida College System institution or a state university
2491 pursuant to s. 1002.33(5), and the Florida Virtual School
2492 established in s. 1002.37.

2493 (c) The state-funded discretionary contribution shall be
2494 recalculated during the fiscal year pursuant to paragraph
2495 (1) (a).

2496 (7) EDUCATIONAL ENRICHMENT ALLOCATION.—

2497 (a) The educational enrichment allocation is created to
2498 assist school districts in providing educational enrichment
2499 activities and services that support and increase the academic
2500 achievement of students in grades kindergarten through 12.
2501 Educational enrichment activities and services may be provided
2502 in a manner and at any time during or beyond the regular 180-day
2503 term identified by the school district as being the most
2504 effective and efficient way to best help the student progress
2505 from grade to grade and graduate from high school. For fiscal
2506 year 2023-2024, the educational enrichment allocation shall
2507 consist of a base amount as specified in the General

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2508 Appropriations Act. Beginning in fiscal year 2024-2025, the
2509 educational enrichment allocation shall consist of the base
2510 amount that includes a workload adjustment based on changes in
2511 the unweighted full-time equivalent membership. Beginning in
2512 fiscal year 2025-2026, and each year thereafter, the statewide
2513 average base amount as specified in the General Appropriations
2514 Act shall be used for any new educational entity funded in the
2515 Florida Education Finance Program.

2516 (c) The educational enrichment allocation, to include the
2517 supplemental amount, shall be recalculated during the fiscal
2518 year pursuant to paragraph (1) (a). ~~If the recalculated amount is~~
2519 ~~greater than the amount provided in the General Appropriations~~
2520 ~~Act, the allocation shall be prorated to the level provided to~~
2521 ~~support the appropriation, based on each school district's~~
2522 ~~proportionate share of the total allocation.~~

2523 (8) EXCEPTIONAL STUDENT EDUCATION GUARANTEED ALLOCATION.—
2524 The exceptional student education guaranteed allocation is
2525 created to fund the additional costs of programs for exceptional
2526 students specified in subparagraphs ~~subparagraph~~ (1)(d)2. and 3.
2527 and shall be supplemental to the funds appropriated in the
2528 Florida Education Finance Program for the basic student funding
2529 level.

2530 (a) The amount of each school district's exceptional
2531 student education guaranteed allocation shall be the greater of
2532 either the school district's prior year exceptional student

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education guaranteed allocation funds per eligible full-time equivalent student or the exceptional student education guaranteed allocation factor as specified in the General Appropriations Act multiplied by the school district's total number of eligible full-time equivalent students.

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

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

(a) The total kindergarten through grade 12 weighted full-time equivalent student membership in juvenile justice education programs in each school district shall be multiplied by the amount of the state average class-size-reduction factor multiplied by the comparable wage factor for the school district established in subsection (2). An amount equal to the sum of this calculation shall be allocated in the Florida Education Finance Program to each school district to supplement other sources of funding for students in juvenile justice education programs. The supplemental allocation for juvenile justice

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2558 education programs shall be recalculated during the fiscal year
2559 pursuant to paragraph (1) (a) .

2560 (12) SAFE SCHOOLS ALLOCATION.—A safe schools allocation is
2561 created to provide funding to assist school districts in their
2562 compliance with ss. 1006.07-1006.12, with priority given to
2563 safe-school officers pursuant to s. 1006.12. Each school
2564 district shall receive a minimum safe schools allocation in an
2565 amount provided in the General Appropriations Act. Of the
2566 remaining balance of the safe schools allocation, one-third
2567 shall be allocated to school districts based on the most recent
2568 official Florida Crime Index provided by the Department of Law
2569 Enforcement and two-thirds shall be allocated based on each
2570 school district's proportionate share of the state's total
2571 unweighted full-time equivalent student enrollment. If a
2572 district school board is required by s. 1006.12 to assign a
2573 school resource officer or school safety officer to a charter
2574 school, the charter school's share of costs for such officer may
2575 not exceed the amount of funds allocated to the charter school
2576 under this subsection. The safe schools allocation shall be
2577 recalculated during the fiscal year pursuant to paragraph
2578 (1) (a) .

2579 (13) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental
2580 health assistance allocation is created to provide funding to
2581 assist school districts in implementing their school-based
2582 mental health assistance program pursuant to s. 1006.041. These

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2583 funds shall be allocated annually in the General Appropriations
2584 Act or other law to each eligible school district. Each school
2585 district shall receive a minimum of \$100,000, with the remaining
2586 balance allocated based on each school district's proportionate
2587 share of the state's total unweighted full-time equivalent
2588 student enrollment. The mental health assistance allocation
2589 shall be recalculated during the fiscal year pursuant to
2590 paragraph (1)(a).

2591 (15) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT ~~FOR~~
2592 ~~CURRENT OPERATION.~~—The total annual state allocation to each
2593 ~~district for current operation for the~~ Florida Education Finance
2594 Program shall be distributed to districts pursuant to s. 1011.66
2595 and based on the results of the full-time equivalent membership
2596 surveys established in paragraph (1)(a) periodically in the
2597 ~~manner prescribed in the General Appropriations Act.~~

2598 (a) When the Florida Education Finance Program is
2599 recalculated pursuant to paragraph (1)(a), if the base funds
2600 ~~appropriated for current operation of the~~ Florida Education
2601 Finance Program and the categorical program funding, except for
2602 the categorical funding provided in ss. 1011.685 and 1011.695,
2603 ~~including funds appropriated pursuant to subsection (18),~~ are
2604 not sufficient to pay the state requirement in full, the
2605 department shall prorate the available state funds to each
2606 district in the following manner:

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2607 1. To determine the amount that must be prorated among all
2608 school districts, subtract the sum of the recalculated base
2609 Florida Education Finance Program and the categorical programs,
2610 except for the categorical funding provided in ss. 1011.685 and
2611 1011.695, and any prior year adjustments pursuant to subsection
2612 (17), from the corresponding amount of state funds appropriated
2613 in the General Appropriations Act.

2614 2. Each school district's amount of proration is
2615 calculated based on its proportionate share of the base Florida
2616 Education Finance Program and categorical programs, except for
2617 the categorical programs established in ss. 1011.685 and
2618 1011.695.

2619 ~~1. Determine the percentage of proration by dividing the~~
2620 ~~sum of the total amount for current operation, as provided in~~
2621 ~~this paragraph for all districts collectively, and the total~~
2622 ~~district required local effort into the sum of the state funds~~
2623 ~~available for current operation and the total district required~~
2624 ~~local effort.~~

2625 ~~2. Multiply the percentage so determined by the sum of the~~
2626 ~~total amount for current operation as provided in this paragraph~~
2627 ~~and the required local effort for each individual district.~~

2628 ~~3. From the product of such multiplication, subtract the~~
2629 ~~required local effort of each district; and the remainder shall~~
2630 ~~be the amount of state funds allocated to the district for~~
2631 ~~current operation. However, no calculation subsequent to the~~

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appropriation shall result in negative state funds for any district.

(b) The amount thus obtained shall be the net annual allocation to each school district. However, if it is determined that any school district received an under allocation or over allocation for any prior year because of an arithmetical error, assessment roll change required by final judicial decision, full-time equivalent student membership error, or any allocation error revealed in an audit report, the allocation to that district shall be appropriately adjusted. An under allocation in a prior year caused by a school district's error may not be the basis for a positive allocation adjustment for the current year. ~~Beginning with the 2011-2012 fiscal year,~~ If a special program cost factor is less than the basic program cost factor, an audit adjustment may not result in the reclassification of the special program FTE to the basic program FTE. If the Department of Education audit adjustment recommendation is based upon controverted findings of fact, the Commissioner of Education is authorized to establish the amount of the adjustment based on the best interests of the state.

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

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~~(16) STATE FUNDED DISCRETIONARY SUPPLEMENT.~~

~~(a) The state funded discretionary supplement is created to fund the nonvoted discretionary millage for operations pursuant to s. 1011.71(1) and (3) for students awarded a Family Empowerment Scholarship in accordance with s. 1002.394. To calculate the state funded discretionary supplement for inclusion in the amount of the scholarship funding:~~

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

~~2. Beginning in fiscal year 2024-2025 and thereafter, multiply the maximum allowable nonvoted discretionary millage for operations pursuant to s. 1011.71(1) and (3) by the value of~~

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~~96 percent of the current year's taxable value for school purposes for the school district where the student is reported for purposes of the Florida Education Finance Program as appropriated in the General Appropriations Act; divide the result by the school district's total unweighted full-time equivalent membership as appropriated in the General Appropriations Act; and multiply the result by the total unweighted full-time equivalent membership associated with the number of Family Empowerment Scholarship students. The prior year's base amount shall be adjusted based on changes in the eligible number of unweighted full-time equivalent membership associated with the number of Family Empowerment Scholarship students.~~

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

(16) ~~(17)~~ CATEGORICAL FUNDS.—

(a) If a district school board determines that some or all of the funds received for any of the categorical programs established in this section are needed to maintain or enhance school board-specified academic classroom instruction, maintain

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or expand career and technical education instruction, or improve school safety, the school district may consider and approve an amendment to the school district's operating budget by transferring the identified amount of the categorical funds to the appropriate account for expenditure.

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

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

~~(a) The educational enrollment stabilization program is created to provide supplemental state funds as needed to maintain the stability of the operations of public schools in each school district and to protect districts, including charter schools, from financial instability as a result of changes in~~

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~~full-time equivalent student enrollment throughout the school year.~~

~~(b) The Legislature shall annually appropriate funds in the General Appropriations Act to the Department of Education for this program in an amount necessary to maintain a projected minimum balance of \$250 million at the beginning of the upcoming fiscal year. The Department of Education shall use funds as appropriated to ensure that based on each recalculation of the Florida Education Finance Program pursuant to paragraph (1)(a), a school district's funds per unweighted full-time equivalent student are not less than the greater of either the school district's funds per unweighted full-time equivalent student as appropriated in the General Appropriations Act or the school district's funds per unweighted full-time equivalent student as recalculated based upon the receipt of the certified taxable value for school purposes pursuant to s. 1011.62(4).~~

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

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

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1011.622 Adjustments for students without a Florida student identification number.—The Florida Education Finance Program funding calculations, including the calculations authorized in ss. 1011.62, 1011.68, and 1011.685, shall include funding for a student, including a student enrolled in a public school and a student participating in a state scholarship program pursuant to chapter 1002, only when all of the student's applicable records are reported to the Department of Education under a Florida student identification number. The State Board of Education may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this section.

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

1011.65 Recalculation of the Florida Education Finance Program ~~Appropriation Allocation Conference. Prior to the distribution of any funds appropriated in the General Appropriations Act for the K-12 Florida Education Finance Program formula and for the formula-funded categorical programs, the Commissioner of Education shall conduct an allocation conference. Conference principals shall include representatives of the Department of Education, the Executive Office of the Governor, and the appropriations committees of the Senate and the House of Representatives. Conference principals shall discuss and agree to all conventions, including rounding conventions, and methods of computation to be used to calculate~~

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~~Florida Education Finance Program and categorical entitlements of the districts for the fiscal year for which the appropriations are made. These conventions and calculation methods shall remain in effect until further agreements are reached in subsequent allocation conferences called by the commissioner for that purpose. The commissioner shall also,~~
Prior to each recalculation of Florida Education Finance Program pursuant to s. 1011.62(1)(a), the department shall and
~~categorical allocations of the districts,~~ provide to the
Legislature and the Executive Office of the Governor ~~conference~~
~~principals with~~ all data necessary for the Legislature and the
Executive Office of the Governor to replicate the department's
recalculation of the Florida Education Finance Program. The
recalculated Florida Education Finance Program may not be
provided to school districts until the Legislature and the
Executive Office of the Governor provide written notification to
the department that the recalculated Florida Education Finance
Program complies with law ~~those allocations precisely. This data~~
~~shall include a matrix by district by program of all full-time~~
~~equivalent changes made by the department as part of its~~
~~administration of state full-time equivalent caps.~~

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

1011.695 State-funded discretionary supplement.—The state-funded discretionary supplement is created to fund the nonvoted

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discretionary millage for operations pursuant to s. 1011.71(1) and (3) for students awarded Family Empowerment Scholarships in accordance with s. 1002.394. To calculate the state-funded discretionary supplement for inclusion in the amount of the scholarship funding:

(1) Multiply the maximum allowable nonvoted discretionary millage for operations pursuant to s. 1011.71(1) and (3) by the value of 96 percent of the current year's taxable value for school purposes for the district where the student is reported for purposes of funding in the Florida Education Finance Program as appropriated in the General Appropriations Act; divide the result by the district's total unweighted full-time equivalent membership as appropriated in the General Appropriations Act; and multiply the result by the total unweighted full-time equivalent membership associated with the number of Family Empowerment Scholarship students included in the district's total unweighted full-time equivalent membership. The amount of the prior year's base amount shall be adjusted based on changes in the eligible number of unweighted full-time equivalent membership associated with the number of Family Empowerment Scholarship students.

(2) The state-funded discretionary supplement shall be recalculated during the fiscal year pursuant to s. 1011.62(1)(a). If the recalculated amount is greater than the amount provided in the General Appropriations Act, the

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allocation shall be prorated to the level provided to support the appropriation, based on each school district's proportionate share of the total allocation.

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

110.1228 Participation by small counties, small municipalities, and district school boards located in small counties.—

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

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

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

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

(6) Notwithstanding the provisions of s. 1001.42(4)(m), the educational program at the Marianna Sunland Center in Jackson County shall be operated by the Department of Education, either directly or through grants or contractual agreements with other public educational agencies. The annual state allocation to any such agency shall be computed pursuant to s. 1011.62(1), (2), and (16) ~~(17)~~ and allocated in the amount that would have

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been provided the local school district in which the residential facility is located.

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

1002.32 Developmental research (laboratory) schools.—

(9) FUNDING.—Funding for a lab school, including a charter lab school, shall be provided as follows:

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

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

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

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

1002.33 Charter schools.—

(17) FUNDING.—Students enrolled in a charter school, regardless of the sponsorship, shall be funded based upon the

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applicable program pursuant to s. 1011.62(1)(c), the same as students enrolled in other public schools in a school district. Funding for a charter lab school shall be as provided in s. 1002.32.

(b)1. Funding for students enrolled in a charter school sponsored by a school district shall be the sum of the school district's operating funds from the Florida Education Finance Program as defined in s. 1011.61(5) and the General Appropriations Act, including gross state and local funds, and funds from the school district's current operating discretionary millage levy; divided by total funded weighted full-time equivalent students in the school district; and multiplied by the weighted full-time equivalent students for the charter school. Charter schools whose students or programs meet the eligibility criteria in law are entitled to their proportionate share of categorical program funds included in the total funds available in the Florida Education Finance Program by the Legislature, including the student transportation allocation and the educational enrichment allocation. Total funding for each charter school shall be recalculated during the year to reflect the revised calculations under the Florida Education Finance Program by the state and the actual weighted full-time equivalent students reported by the charter school during the full-time equivalent student survey periods designated by the Commissioner of Education. For charter schools operated by a

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

2.a. Funding for students enrolled in a charter school sponsored by a state university or Florida College System institution pursuant to paragraph (5)(a) shall be provided in the Florida Education Finance Program as defined in s. 1011.61(5) and as specified in the General Appropriations Act. The calculation to determine the amount of state funds includes the sum of the basic amount for current operations established in s. 1011.62(1)(r) ~~s. 1011.62(1)(s)~~, the discretionary millage compression supplement established in s. 1011.62(5), and the state-funded discretionary contribution established in s. 1011.62(6). Charter schools whose students or programs meet the

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2931 eligibility criteria in law are entitled to their proportionate
2932 share of categorical program funds included in the total funds
2933 available in the Florida Education Finance Program. The Florida
2934 College System institution or state university sponsoring the
2935 charter school shall be the fiscal agent for these funds, and
2936 all rules of the institution governing the budgeting and
2937 expenditure of state funds shall apply to these funds unless
2938 otherwise provided by law or rule of the State Board of
2939 Education.

2940 (I) The nonvoted required local millage established
2941 pursuant to s. 1011.71(1) that would otherwise be required for
2942 the charter schools shall be allocated from state funds.

2943 (II) An equivalent amount of funds for the operating
2944 discretionary millage authorized pursuant to s. 1011.71(1) shall
2945 be allocated to each charter school through a state-funded
2946 discretionary contribution established pursuant to s.
2947 1011.62(6).

2948 (III) The comparable wage factor as provided in s.
2949 1011.62(2) shall be established as 1.000.

2950 b. Total funding for each charter school shall be
2951 recalculated during the year to reflect the revised calculations
2952 under the Florida Education Finance Program by the state and the
2953 actual weighted full-time equivalent students reported by the
2954 charter school during the full-time equivalent student survey
2955 periods designated by the Commissioner of Education.

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

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

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

1002.37 The Florida Virtual School.—

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

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2981 (a)1. The calculation of "full-time equivalent student"
2982 shall be as prescribed in s. 1011.61(1)(c)1.b.(V) and is subject
2983 to s. 1011.61(3) ~~s. 1011.61(4)~~.

2984 2. For a student in a home education program, funding
2985 shall be provided in accordance with this subsection upon course
2986 completion if the parent verifies, upon enrollment for each
2987 course, that the student is registered with the school district
2988 as a home education student pursuant to s. 1002.41(1)(a).

2989 (f) The Florida Virtual School shall receive state funds
2990 for operating purposes as provided in the General Appropriations
2991 Act. The calculation to determine the amount of state funds
2992 includes: the sum of the basic amount for current operations
2993 established in s. 1011.62(1)(r) ~~s. 1011.62(1)(s)~~, the
2994 discretionary millage compression supplement established in s.
2995 1011.62(5), the state-funded discretionary contribution
2996 established in s. 1011.62(6), a per-full-time equivalent share
2997 of the exceptional student education guaranteed allocation
2998 established in s. 1011.62(8), and the mental health assistance
2999 allocation established in s. 1011.62(13).

3000 (9)

3001 (b) For students receiving part-time instruction in
3002 kindergarten through grade 5 and students receiving full-time
3003 instruction in kindergarten through grade 12 from the Florida
3004 Virtual School, the full-time equivalent student enrollment

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calculated under this subsection is subject to the requirements in s. 1011.61(3) ~~s. 1011.61(4)~~.

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

1002.45 Virtual instruction programs.—

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

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

(b) Students enrolled in a virtual instruction program shall be funded in the Florida Education Finance Program as provided in the General Appropriations Act. The calculation to determine the amount of funds for each student through the Florida Education Finance Program shall include the sum of the basic amount for current operations established in s.

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1011.62(1)(r) ~~s. 1011.62(1)(s)~~ and all categorical programs except for the categorical programs established in ss. 1011.62(7) and, (12), ~~and (16)~~, 1011.68, and 1011.685. Students residing outside of the school district reporting the full-time equivalent virtual student shall be funded from state funds only.

Section 18. Paragraph (a) of subsection (2) and subsections (3) and (4) of section 1003.4203, Florida Statutes, are amended to read:

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

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

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

(3) CAPE INDUSTRY CERTIFICATIONS.—

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

(b) CAPE industry certifications, issued to high school students, which articulate for college credit, are eligible for additional full-time equivalent membership pursuant to s. 1011.62(1)(n)1.b. ~~s. 1011.62(1)(e)1.b.~~

(4) CAPE ACCELERATION.—Industry certifications that articulate for 15 or more college credit hours and, if successfully completed, are eligible for additional full-time equivalent membership under s. 1011.62(1)(n)1.d. ~~s. 1011.62(1)(e)1.d.~~ Each approved industry certification must be specifically identified in the CAPE Industry Certification Funding List as a CAPE Acceleration Industry Certification.

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

1003.485 The New Worlds Reading Initiative.—

(4) ADMINISTRATOR RESPONSIBILITIES.—The administrator shall:

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

Notwithstanding s. 1002.395(6)(1)2. ~~s. 1002.395(6)(1)3.~~, the

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3080 administrator may carry forward up to 25 percent of eligible
3081 contributions made before January 1 of each state fiscal year
3082 and 100 percent of eligible contributions made on or after
3083 January 1 of each state fiscal year to the following state
3084 fiscal year for purposes authorized by this subsection. Any
3085 eligible contributions in excess of the allowable carry forward
3086 not used to provide additional books throughout the year to
3087 eligible students shall revert to the state treasury.

3088 **Section 20. Subsection (3) of section 1003.4935, Florida**
3089 **Statutes, is amended to read:**

3090 1003.4935 Middle grades career and professional academy
3091 courses and career-themed courses.—

3092 (3) CAPE Digital Tool certificates and CAPE industry
3093 certifications offered in the middle grades that are included on
3094 the CAPE Industry Certification Funding List, if earned by
3095 students, are eligible for additional full-time equivalent
3096 membership pursuant to s. 1011.62(1)(n)1.a. ~~s. 1011.62(1)(o)1.a.~~
3097 and b.

3098 **Section 21. Paragraph (b) of subsection (2) of section**
3099 **1003.498, Florida Statutes, is amended to read:**

3100 1003.498 School district virtual course offerings.—

3101 (2) School districts may offer virtual courses for
3102 students enrolled in the school district. These courses must be
3103 identified in the course code directory. Students may

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participate in these virtual course offerings pursuant to s.
1002.455.

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

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

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

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

1007.271 Dual enrollment programs.—

(2) For the purpose of this section, an eligible secondary student is a student who is enrolled in any of grades 6 through 12 in a Florida public school or in a Florida private school that is in compliance with s. 1002.42(2) and provides a

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secondary curriculum pursuant to s. 1003.4282. Students who are eligible for dual enrollment pursuant to this section may enroll in dual enrollment courses conducted during school hours, after school hours, and during the summer term. However, if the student is projected to graduate from high school before the scheduled completion date of a postsecondary course, the student may not register for that course through dual enrollment. The student may apply to the postsecondary institution and pay the required registration, tuition, and fees if the student meets the postsecondary institution's admissions requirements under s. 1007.263. Instructional time for dual enrollment may vary from 900 hours; however, the full-time equivalent student membership value shall be subject to the provisions in s. 1011.61(3) ~~s. 1011.61(4)~~. A student enrolled as a dual enrollment student is exempt from the payment of registration, tuition, and laboratory fees. Applied academics for adult education instruction, developmental education, and other forms of precollegiate instruction, as well as physical education courses that focus on the physical execution of a skill rather than the intellectual attributes of the activity, are ineligible for inclusion in the dual enrollment program. Recreation and leisure studies courses shall be evaluated individually in the same manner as physical education courses for potential inclusion in the program.

(13)

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

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

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

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3177 3. The student's responsibilities for providing his or her
3178 own transportation.

3179 4. A copy of the statement on transfer guarantees
3180 developed by the Department of Education under subsection (15).

3181 (23) District school boards and Florida College System
3182 institutions may enter into additional dual enrollment
3183 articulation agreements with state universities for the purposes
3184 of this section. School districts may also enter into dual
3185 enrollment articulation agreements with eligible independent
3186 colleges and universities pursuant to s. 1011.62(1)(h) ~~s.~~
3187 ~~1011.62(1)(i)~~. By August 1 of each year, the district school
3188 board and the Florida College System institution shall complete
3189 and submit the dual enrollment articulation agreement with the
3190 state university or an eligible independent college or
3191 university, as applicable, to the Department of Education.

3192 (24)

3193 (b) Each public postsecondary institution eligible to
3194 participate in the dual enrollment program pursuant to s.
3195 1011.62(1)(h) ~~s. 1011.62(1)(i)~~ must enter into a private school
3196 articulation agreement with each eligible private school in its
3197 geographic service area seeking to offer dual enrollment courses
3198 to its students, including, but not limited to, students with
3199 disabilities. By August 1 of each year, the eligible
3200 postsecondary institution shall complete and submit the private
3201 school articulation agreement to the Department of Education.

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The private school articulation agreement must include, at a minimum:

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

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

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

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

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

(25) For students with disabilities, a postsecondary institution eligible to participate in dual enrollment pursuant to s. 1011.62(1)(h) ~~s. 1011.62(1)(i)~~ shall include in its dual enrollment articulation agreement, services and resources that are available to students with disabilities who register in a dual enrollment course at the eligible institution and provide information regarding such services and resources to the Florida Center for Students with Unique Abilities. The Department of Education shall provide to the center the Internet website link

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to dual enrollment articulation agreements specific to students with disabilities. The center shall include in the information that it is responsible for disseminating to students with disabilities and their parents pursuant to s. 1004.6495, dual enrollment articulation agreements and opportunities for meaningful campus experience through dual enrollment.

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

1008.44 CAPE Industry Certification Funding List.—

(1) The State Board of Education shall adopt, at least annually, based upon recommendations by the Commissioner of Education, the CAPE Industry Certification Funding List that assigns additional full-time equivalent membership to certifications identified in the Master Credentials List under s. 445.004(4) that meets a statewide, regional, or local demand. Additional full-time equivalent membership funding for regional and local demand certifications may only be earned in those areas with regional or local demand as identified by the Credentials Review Committee. The CAPE Industry Certification Funding List may include the following certificates and certifications:

(a) CAPE industry certifications identified as credentials of value that meet the framework of quality under s. 445.004(4), that must be applied in the distribution of funding to school districts under s. 1011.62(1)(n) ~~s. 1011.62(1)(o)~~. The CAPE

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Industry Certification Funding List shall incorporate by reference the industry certifications on the career pathways list approved for the Florida Gold Seal CAPE Scholars award.

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

~~1011.62(1)(o)1.~~ The department shall annually review available assessments that meet the requirements for inclusion on the list.

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

(d) The Commissioner of Education shall conduct a review of the methodology used to determine additional full-time equivalent membership weights assigned in s. 1011.62(1)(n) ~~s.~~ ~~1011.62(1)(o)~~ and, if necessary, recommend revised weights. The weights must factor in the prioritization of critical shortages of labor market demand and middle-level to high-level wage earning outcomes as identified by the Credentials Review Committee under s. 445.004. The results of the review and the

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commissioner's recommendations must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than December 1, 2023.

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

1010.20 Cost accounting and reporting for school districts.—

(2) COST REPORTING.—

(a) Each district shall report on a district-aggregate basis expenditures for inservice training pursuant to s. 1011.62(3) and for categorical programs as provided in s. 1011.62(16) ~~s. 1011.62(17)~~.

(3) PROGRAM EXPENDITURE REQUIREMENTS.—

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

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

1011.68 Funds for student transportation.—The annual allocation to each district for transportation to public school programs, including charter schools as provided in s. 1002.33(17)(b), of students in membership in kindergarten

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through grade 12 and in migrant and exceptional student programs below kindergarten shall be determined as follows:

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

(d) By reason of being career, dual enrollment, or students with disabilities transported from one school center to another to participate in an instructional program or service; or students with disabilities, transported from one designation to another in the state, provided one designation is a school center and provided the student's individual educational plan (IEP) identifies the need for the instructional program or service and transportation to be provided by the school district. A "school center" is defined as a public school center, Florida College System institution, state university, or other facility rented, leased, or owned and operated by the school district or another public agency. A "dual enrollment student" is defined as a public school student in membership in both a public secondary school program and a Florida College System institution or a state university program under a written agreement to partially fulfill ss. 1003.435 and 1007.23 and earning full-time equivalent membership under s. 1011.62(1)(h) ~~s. 1011.62(1)(i)~~.

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

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

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

T I T L E A M E N D M E N T

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to education; amending s. 216.136, F.S.; revising the official information the Education Estimating Conference is required to forecast to include specified student calculations; requiring governmental agencies to provide the Office of Economic and Demographic Research with specified data; requiring nonprofit scholarship-funding organizations to submit specified information to the conference; requiring the conference's forecasted numbers of

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3352 certain students to be forwarded to and approved by
3353 the school districts; requiring the conference's
3354 forecasted scholarships to be made available to and
3355 reviewed by nonprofit scholarship-funding
3356 organizations; providing requirements for such
3357 organizations; requiring the full conference to agree
3358 to changes in official information of the conference;
3359 amending s. 1002.394, F.S.; revising the purpose of
3360 the Family Empowerment Scholarship Program; defining
3361 the term "fraud"; prohibiting school districts from
3362 reporting specified students for funding in the
3363 Florida Education Finance Program; revising the
3364 requirements for certain scholarships to no longer
3365 remain in force and student ineligibility criteria;
3366 providing that certain funding through the program
3367 constitutes funding under specified provisions of law;
3368 requiring school districts to provide verification of
3369 student disenrollment under certain circumstances;
3370 revising the information the Department of Education
3371 must publish and update relating to the program;
3372 requiring the department to assign a Florida student
3373 identification number to certain students; revising
3374 department, eligible nonprofit scholarship-funding
3375 organization, and parent responsibilities and duties
3376 relating to applying for a scholarship, verifying

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student eligibility, and funding and award
disbursement; requiring the department to develop
standard request forms for student withdrawal from
public schools and the program and provide the forms
to specified entities; revising requirements for
calculation of funding and disbursement of funds for
the program; revising requirements for the application
process and continued participation in the program;
authorizing the department to suspend or permanently
revoke a student's participation in the program under
certain circumstances; requiring the department to
investigate possible fraud within the program;
requiring the department to provide to the Legislature
certain information; providing that noncompliance with
specified requirements shall lead to a declined
scholarship; requiring parents to verify that students
are not attending a public school; requiring eligible
nonprofit scholarship-funding organizations to recover
specified funds and provide specified information to
the Auditor General; prohibiting eligible nonprofit
scholarship-funding organizations from awarding
scholarships under certain circumstances; prohibiting
the department from releasing program funds outside of
a specified schedule or releasing funds to students
who have not been assigned a Florida Student

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3402 identification number; amending s. 1002.395, F.S.;

3403 revising department, eligible nonprofit scholarship-

3404 funding organization, and parent responsibilities and

3405 duties relating to applying for a scholarship,

3406 verifying student eligibility, and funding and award

3407 disbursement for the Florida Tax Credit Scholarship

3408 Program; requiring a school district to provide

3409 verification of student disenrollment under certain

3410 circumstances; providing that noncompliance with

3411 specified requirements shall lead to a declined

3412 scholarship; prohibiting school districts from

3413 reporting certain students for funding through the

3414 Florida Education Finance Program; defining the terms

3415 "obligate" and "disburse"; deleting a provision

3416 including certain transportation expenses in program

3417 administrative expenses; revising the requirements for

3418 the cross-check of certain student attendance

3419 information; requiring the department to assign a

3420 Florida student identification number to certain

3421 students; requiring the department to submit specified

3422 reports to the Legislature within a specified

3423 timeframe; requiring specified approvals and denials

3424 of certain expenses to be consistent with specified

3425 guidelines; requiring eligible nonprofit scholarship-

3426 funding organizations to recover specified funds;

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3427 requiring eligible nonprofit scholarship-funding
3428 organizations to use specified forms for certain
3429 purposes; revising requirements for the disbursement
3430 of program funds; amending s. 1002.421, F.S.;
3431 prohibiting a private school from participating in
3432 certain scholarship programs for failure to reimburse
3433 an eligible nonprofit scholarship-funding organization
3434 under certain circumstances; amending s. 1008.386,
3435 F.S.; requiring the department to establish unique
3436 Florida student identification numbers for students
3437 participating in certain scholarship programs;
3438 amending s. 1010.305, F.S.; requiring the Auditor
3439 General to annually examine certain records of
3440 specified eligible nonprofit scholarship-funding
3441 organizations; authorizing specified actions to be
3442 taken against such organizations under certain
3443 circumstances; amending s. 1011.61, F.S.; revising
3444 definitions; amending s. 1011.62, F.S.; revising
3445 requirements for base funding through the Florida
3446 Education Finance Program; providing requirements for
3447 full-time equivalent membership surveys for the
3448 program; revising specified additional full-time
3449 equivalent student membership calculations within the
3450 program; revising the calculation for the
3451 determination of the base program; removing an

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authorization for the State Board of Education to adopt rules relating to credits for high school graduation; revising the exceptional student education guaranteed allocation to include specified additional costs; requiring certain allocations within the program to be recalculated pursuant to the membership surveys; requiring a specified funding amount to be used for new educational entities funded through the program; revising the requirements for the total allocation of state funds to each district; removing the state-funded discretionary supplement and the educational enrollment stabilization program from the program; amending s. 1011.622, F.S.; providing that certain provisions relating to program calculations apply to specific students; amending s. 1011.65, F.S.; removing requirements relating to the Florida Education Finance Program Appropriation Allocation Conference; requiring certain information to be provided to the Legislature and the Executive Office of the Governor for specified purposes; requiring the Legislature and the Executive Office of the Governor to provide a certain written notification before the release of specified funds through the program; creating s. 1011.695, F.S.; creating the state-funded discretionary supplement; providing requirements for

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3477 the supplement; amending ss. 110.1228, 402.22,
3478 1002.32, 1002.33, 1002.37, 1002.45, 1003.4203,
3479 1003.485, 1003.4935, 1003.498, 1007.271, 1008.44,
3480 1010.20, 1011.68, and 1012.44, F.S.; conforming cross-
3481 references; providing an effective date.

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