

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Bartleman offered the following:

Amendment (with title amendment)

Between lines 462 and 463, insert:

Section 4. Subsections (4) and (5) of section 1002.421, Florida Statutes, are renumbered as subsections (8) and (9), respectively, and subsections (4) through (7) are added to that section, to read:

1002.421 State school choice scholarship program accountability and oversight.—

(4) ENROLLMENT VERIFICATION.—Upon receipt of an application, the eligible nonprofit scholarship-funding organization must verify each student's eligibility. Each

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14 student, including renewal students, must apply for a
15 scholarship each school year. An organization may not grant
16 multiyear scholarships in one approval process.

17 (a) To verify eligibility, the organization must request
18 all of the following information for each student, to be
19 included in the student's file:

20 1. More than one form of proof of residency or proof that
21 the student is the dependent of an active duty member of the
22 United States Armed Forces who has received permanent change of
23 station orders to this state.

24 2. A copy of the student's birth certificate or other
25 documentation as specified in s. 1003.21(4), the name on which
26 must be identical to the name provided on the student's
27 application.

28 3. If known, the student's Florida student identification
29 number if one has been assigned.

30 (b) In addition, if the student:

31 1. Is a renewal student, the organization must:

32 a. Request for each student the assessment results
33 necessary to verify compliance with subsection (7). The deadline
34 for a parent to submit the results is July 15.

35 b. Receive documentation from the parent attesting that
36 the student will continue to meet all eligibility requirements
37 for the scholarship.

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38 c. Verify that all documents required for eligibility have
39 been received and are on file.

40 d. If the student lives out of state and is a dependent of
41 an active duty member of the United States Armed Forces, receive
42 documentation that the home of record or state of legal
43 residence is Florida.

44 2. Is seeking priority eligibility based upon household
45 income, the parent of the student must authorize the
46 organization to access information needed for income eligibility
47 determination and verification held by other state or federal
48 agencies, including the Department of Revenue, the Department of
49 Children and Families, the Department of Education, the
50 Department of Commerce, and the Agency for Health Care
51 Administration.

52 (c) An organization must send to the department a list of
53 eligible students and any information necessary for the
54 department to conduct the following cross-check reviews by:

- 55 1. August 1 for the fall scholarship term.
- 56 2. October 1 for the fall scholarship mid-term.
- 57 3. December 1 for the spring scholarship term.
- 58 4. March 1 for the spring scholarship mid-term.

59
60 For the spring scholarship term, the organization must submit
61 students initially applying for the scholarship during the
62 spring term, as well as all students who received a scholarship

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63 payment within the fall term. Additionally, the organization
64 must update each list with any eligible student who applies
65 outside of the application deadlines pursuant to paragraph
66 (2) (g).

67 (d) The department must verify each student's Florida
68 student identification number or, if a student has not been
69 assigned a Florida student identification number, assign each
70 eligible student a Florida student identification number. Once a
71 student is assigned a Florida student identification number, the
72 organization must use that number for the reporting and tracking
73 of all scholarship data.

74 (e) The department must cross-check each list of eligible
75 students submitted by the organization with the most recent
76 student attendance records maintained by the school districts
77 pursuant to s. 1003.23 to resolve student reporting duplication.

78 1. As part of each cross-check process, the department
79 must send a list of the eligible students submitted by the
80 organization to the applicable school district. The school
81 district must cross-check each student by identification number
82 with its most recent student attendance records and send the
83 results, including any duplicates, to the department. Pursuant
84 to s. 1002.44, a student receiving a scholarship under this
85 chapter who attends a public school on a part-time basis through
86 contracted services provided by the public school or school
87 district may not be reported by the school district for funding

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88 purposes under the Florida Education Finance Program, and,
89 therefore, such students are not considered duplicates.

90 2. For any student reported as a duplicate by a school
91 district, the department must determine whether the student is
92 prohibited from receiving a scholarship award pursuant to s.
93 1002.394(6) or s. 1002.395(4). As part of the department's
94 determination process, the department must require the
95 organization to suspend payments to the student's account and
96 the use of funds in the student's account related to any period
97 of time the student is ineligible.

98 3. The department, after making its determination, shall
99 notify the district if there is any student reported by the
100 district as a duplicate whom the district should not report for
101 funding in the student membership survey pursuant to s. 1011.62.
102 For the students the district does report, the district shall
103 receive the full funding generated in accordance with the
104 Florida Education Finance Program, regardless of whether the
105 student received a scholarship payment, subject to the audit
106 required under s. 1010.305.

107 (f) The department, after the list of eligible students
108 has been cross-checked and each student has been assigned a
109 Florida student identification number, shall send the list of
110 verified eligible students to the organization, which may then
111 fund students only based upon the department's list of verified
112 eligible students. The department must notify an organization of

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113 any of the organization's identified students who were submitted
114 for a scholarship from another organization and which
115 organization the student shall receive funding from.

116 (g) After each cross-check, the department must provide
117 the list of verified eligible students submitted to the
118 organization and any information on duplicate students requested
119 to the chair of the Senate Appropriations Committee, the chair
120 of the House Budget Committee, and the Office of Policy and
121 Budget within the Executive Office of the Governor.

122 (5) PREPAYMENT VERIFICATION.—Prior to the disbursement of
123 each scholarship payment, the organization must verify the
124 student's continued eligibility based upon the requirements of
125 the applicable student's scholarship program.

126 (a) For scholarship programs that require private school
127 enrollment, the organization must verify that the student is
128 enrolled in and in attendance at a participating eligible
129 private school.

130 (b) Prior to the receipt of each scholarship payment, a
131 parent of the student must attest that the student is not
132 enrolled full time in a public school and is enrolled and in
133 attendance, unless excused for illness or other good cause, in
134 one of the following:

- 135 1. A home education program;
136 2. A personalized education program; or
137 3. A private school.

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138 (c) The parent of a student enrolled at a private school
139 may authorize the private school to satisfy the requirement in
140 paragraph (b) on behalf of the parent by attesting that the
141 student is enrolled in and in attendance at the private school.
142 The private school and the organization must maintain records of
143 the parental authorization, which must be renewed each school
144 year and may be included as part of the parent's approval of the
145 funds transfer authorized pursuant to subparagraph (7) (b)1. An
146 improper attestation may be investigated as fraud pursuant to
147 subparagraph (10) (a)6., and the private school may be liable to
148 the state for payments made in violation of this subsection and,
149 if found liable, must reimburse the state for funds improperly
150 paid to the private school.

151 (d) The organization may not make any payment into a
152 student's account prior to a parent's acceptance of a
153 scholarship award, upon notification that the student is
154 enrolled in a public school unless the organization can verify
155 the student's eligibility, or for any period of time prior to
156 the department's verification of the student's eligibility. An
157 organization is liable to the state for payments made in
158 violation of this subsection and must reimburse the state for
159 funds that were improperly awarded which cannot be recovered.

160 (e) For a student who was enrolled in a public school
161 prior to participation in the scholarship program as determined
162 by the department, the organization must receive proof that the

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163 parent submitted the standard withdrawal form to the public
164 school where the student was previously enrolled or, if the
165 withdrawal occurred prior to the creation of the standard
166 withdrawal form, another form of proof of withdrawal from the
167 public school.

168 (6) SCHOLARSHIP AWARD AMOUNTS AND PAYMENT SCHEDULE.-

169 (a) Beginning in the 2026-2027 school year, the calculated
170 scholarship program award amounts shall be the amounts provided
171 in the General Appropriations Act which are based upon the
172 amounts by basic program and program for exceptional students
173 under the Florida Education Finance Program. These amounts shall
174 be adjusted annually based upon the value of the percentage
175 change increase in per student funding at the state level for
176 public school districts as provided in the General
177 Appropriations Act.

178 1. The calculated scholarship amount for a student
179 determined eligible pursuant to s. 1002.394(3)(a) or s. 1002.395
180 shall be based upon the student's current grade level and county
181 of residence.

182 2. The calculated scholarship amount for a student
183 determined eligible pursuant to s. 1002.394(3)(b) must be based
184 upon the student's current grade level, exceptional student
185 program, and county of residence.

186 a. The calculated scholarship amount for a student who
187 received a Gardiner Scholarship pursuant to former s. 1002.385

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188 in the 2020-2021 school year shall be the greater of the amount
189 calculated pursuant to this subsection or the amount the student
190 received for the 2020-2021 school year.

191 b. The calculated scholarship amount for a student who
192 received a John M. McKay Scholarship pursuant to former s.
193 1002.39 in the 2020-2021 school year shall be the greater of the
194 amount calculated pursuant to this subsection or the amount the
195 student received for the 2020-2021 school year.

196 (b) Beginning with the 2026-2027 school year, the
197 scholarship award shall be divided into 10 equal installments
198 and made in accordance with the prepayment verification process.

199 1. For a renewal student receiving a scholarship award
200 pursuant to s. 1002.394(3) (a) or s. 1002.395, and whose funds
201 are applied to tuition at an eligible private school that has
202 agreed to attest to the student's attendance pursuant to
203 paragraph (6) (c), the organization may make the first payment no
204 earlier than August 15 and the second payment no earlier than
205 September 15.

206 2. For all other students receiving scholarship awards,
207 the organization may make the first payment no earlier than
208 September 15. The first payment pursuant to this subparagraph is
209 for two installments.

210 3. Each subsequent payment must be made no later than
211 October 15, November 15, December 15, January 15, February 15,

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212 March 15, April 15, and May 15 of each school year in which the
213 scholarship is in force.

214 (7) SCHOLARSHIP ACCOUNTS.—The organization must establish
215 and maintain a separate scholarship account for each student
216 enrolled in a scholarship program. For each account, the
217 organization must maintain a record of accrued interest which is
218 retained in the student's account. Accrued interest in the
219 student's account is in addition to, and not part of, the
220 awarded funds. Program funds include both the awarded funds and
221 accrued interest and are available only for authorized program
222 expenditures.

223 (a) Payment of the scholarship by the organization shall
224 be by funds transfer, including, but not limited to, debit
225 cards, electronic payment cards, or any means of payment the
226 department deems commercially viable or cost-effective. A
227 student's scholarship award may not be reduced to cover debit
228 card or electronic payment fees. Commodities or services related
229 to the development of such transfer system must be procured by
230 competitive solicitation unless purchased from a state term
231 contract pursuant to s. 287.056.

232 (b) For students eligible pursuant to s. 1002.394(3)(a) or
233 s. 1002.395, except for those students enrolled in a
234 personalized education program:

235 1. The organization must commit scholarship funds on
236 behalf of the student for tuition and fees that the parent must

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237 pay at a participating private school before scholarship account
238 funds may be used for additional authorized uses under s.
239 1002.394(4) (a) or s. 1002.395(4) (d). A parent is responsible for
240 all eligible expenses in excess of the scholarship amount. An
241 organization shall ensure that the parent has approved a funds
242 transfer before any scholarship funds are deposited. The parent
243 may not designate any entity or individual associated with a
244 participating private school as the parent's attorney in fact to
245 approve a funds transfer.

246 2. After funds have been committed pursuant to
247 subparagraph 1., funds may be used as authorized in s.
248 1002.394(4) (a) and as authorized in the organization's
249 purchasing handbook by paying for the authorized use directly
250 and then submitting a reimbursement request to the organization.
251 An organization may require the use of an online platform for
252 direct purchases of products if such use does not limit a
253 parent's choice of curriculum or academic programs. If a parent
254 purchases a product identical to one offered by an
255 organization's online platform for a lower price, the
256 organization must reimburse the parent the cost of the product.

257 3. The initial payment shall be made after the
258 organization's verification of admission acceptance, and
259 subsequent payments shall be made upon verification of continued
260 enrollment and attendance at a participating private school.
261 Payments for tuition and fees for full-time enrollment shall be

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262 made within 7 business days after approval by the parent and the
263 private school.

264 4. If a student unenrolls from a participating private
265 school within 10 business days after enrolling in the private
266 school, the private school must return a proportional share of
267 the student's scholarship payment to the organization.

268 5. An organization may not transfer any funds to an
269 account of a student which has a balance in excess of \$24,000.

270 (c) For students eligible pursuant to s. 1002.394(3)(b):

271 1. The organization must verify qualifying educational
272 expenditures pursuant to the requirements of s. 1002.394(4)(b).
273 The organization must verify any expenditures made pursuant to
274 s. 1002.394(4)(b)1. and 2. before the distribution of funds.
275 Review of expenditures made for services specified in s.
276 1002.394(4)(b)3.-16. may be completed after the purchase is
277 made.

278 2. The organization must develop a process, for
279 implementation beginning in the 2026-2027 school year, that
280 provides the commitment of scholarship funds on behalf of the
281 student for tuition and fees that a parent must pay at the
282 Florida Virtual School as a private-pay student before
283 scholarship account funds may be used for additional authorized
284 uses under s. 1002.394(4)(b) or s. 1002.395(6)(d).

285 3. An organization may not transfer any funds to an
286 account of a student which has a balance in excess of \$50,000.

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311 providing an expiration date; amending s. amending s.
312 1002.421, F.S.; requiring an eligible nonprofit
313 scholarship-funding organization to verify a student's
314 eligibility upon receipt of an application; requiring
315 an eligible nonprofit scholarship-funding organization
316 to send a list of verified eligible students to the
317 department by specified dates; requiring the
318 department to assign each verified eligible student a
319 Florida student identification number; requiring the
320 organization to use such number for tracking and
321 reporting scholarship data; requiring the department
322 to cross-check each list of verified eligible students
323 with certain other lists; requiring the department to
324 send the cross-checked list to the applicable school
325 district; requiring the department to require the
326 organization to suspend payments for any period of
327 time the student is found to be ineligible; requiring
328 the department to notify an eligible nonprofit
329 scholarship-funding organization of specified
330 information; requiring the department to provide
331 certain lists of students to certain parties;
332 requiring an eligible nonprofit scholarship-funding
333 organization to verify a student's continued
334 eligibility before disbursing each payment; providing
335 criteria for verifying continued eligibility;

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336 requiring parents of students receiving scholarship
337 payments to verify specified information; providing
338 criteria for verifying continued eligibility;
339 requiring parents of students receiving scholarship
340 payments to verify specified information; providing
341 that the scholarship program award amounts are the
342 amounts provided in the General Appropriations Act;
343 providing parameters for the calculation of the
344 scholarship amounts for certain students; requiring an
345 eligible nonprofit scholarship-funding organization to
346 establish and maintain a scholarship account for each
347 student; providing requirements for such accounts;
348 providing that accrued interest is in addition to and
349 not part of a student's account; providing that
350 program funds include awarded funds and accrued
351 interest and are available only for authorized
352 expenditures; requiring eligible nonprofit
353 scholarship-funding organizations to make payments by
354 funds transfer; providing requirements for such funds
355 transfer; prohibiting a student's scholarship award
356 from being reduced to cover certain fees; requiring
357 that commodities or services related to the funds
358 transfer system be procured by a specified method;
359 providing an exception; prohibiting an eligible
360 nonprofit scholarship-funding organization from

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361 transferring funds to an account that has a balance in
362 excess of a specified amount; specifying certain
363 qualifications for educational expenditures; providing
364 that a parent who fails to comply with such
365 qualifications forfeits the scholarship; amending s.
366 1011.62,

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