

THE FLORIDA SENATE
2024 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/CS/HB 1403 — School Choice

by Education & Employment Committee; Choice & Innovation Subcommittee; and Rep. Tomkow and others (SB 7048 by Education Pre-K -12 Committee)

The bill makes several changes to Florida’s school choice program consisting primarily of the Florida Tax Credit Scholarship (FTC), which includes students in a personalized education program (PEP), the Family Empowerment Scholarship for students attending a private school (FES-EO), and the Family Empowerment Scholarship for students with disabilities (FES-UA).

Eligibility and Enrollment

The bill expands eligibility for scholarship programs to the dependent children of an active duty member of the United States Armed Forces who has received permanent change of station orders to Florida or whose home of record or state of residence, at the time of renewal, is Florida. Additionally, the bill establishes for the 2024-25 school year the maximum number of FES-UA Scholarships at 72,615. Beginning in the 2025-2026 school year, the FES-UA scholarship program cap will increase by 5 percent of the state’s total exceptional student education enrollment, annually, with an additional 1 percent growth available based on FES-UA participation. The bill also authorizes FES-UA scholarship funds to be used at a private school that offers a prekindergarten program.

The bill authorizes a PEP student to also enroll in a private school if the student attends classes in person for at least two days a week, with the remaining days following the PEP learning plan.

The bill establishes firm deadlines for Scholarship Funding Organizations (SFO) and parents related to the application for and renewal of scholarships under the FTC, PEP, FES-UA, and FES-EO programs. The bill establishes deadlines, which include requirements for renewal families to accept a scholarship by May 31, and new scholarship families by December 15. The deadlines prioritize disbursing scholarship funds to renewal students over new students, but authorize SFOs to establish application deadlines for new scholarships under the FTC scholarship program.

Scholarship Payments

The bill codifies deadlines and responsibilities for Scholarship Funding Organizations (SFOs) and the Department of Education (DOE) regarding the disbursement of funds for the FES scholarship program. The specified payments include specified quarterly payments into a student’s scholarship account, and a requirement that tuition and fee payments be made within seven business days after parent and school approval.

Purchasing Handbook

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The bill requires the SFO to develop a purchasing handbook that includes policies for the authorized use of funds. The handbook must maintain and routinely update a list of prohibited items and services, and items or services that require preauthorization or additional documentation. The bill mandates that the purchasing handbook be submitted to the DOE by August 1, 2024, and by each July 1 thereafter. The bill authorizes the DOE to assess a penalty of up to \$10,000 if the purchasing handbook is not submitted by the required dates. Finally, the bill requires the Florida Center for Students with Unique Abilities to develop and update appropriate purchasing guidelines for recipients of the FES-UA scholarship.

Reporting

The bill updates the quarterly reporting requirements for SFOs to include information on applications received, application review timeframes, reimbursements received, and reimbursement processing timeframes. Additionally, the bill requires a SFO to establish a process to collect input and feedback from parents, private schools, and providers before implementing substantial modifications or enhancements to the reimbursement process.

Hope Scholarship Program

The bill shifts to the FTC scholarship program the scholarship funding portion of the Hope Scholarship Program (HSP), but maintains HSP requirements, with an additional requirement for the school to notify parents of the opportunity to attend an eligible private school under the FES and FTC scholarship programs.

Additional School Choice Provisions

The bill clarifies that public school students receiving a scholarship under a New Worlds Scholarship Account remain eligible for transportation scholarships under the FES and FTC scholarship programs.

The bill removes the requirement that a virtual instruction program provider be nonsectarian in its admissions and operations.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024, except as otherwise expressly provided.

Vote: Senate 40-0; House 89-18