



1                   A bill to be entitled  
2           An act relating to educational options; amending s.  
3           1002.385, F.S.; redefining the terms "disability" and  
4           "IEP"; defining the term "inactive"; prohibiting a  
5           student who is enrolled in the Florida School for the  
6           Deaf and the Blind from being eligible for the  
7           Gardiner Scholarship Program; revising the purposes  
8           for which program funds may be used; requiring that a  
9           student's account be closed and program funds revert  
10          to the state after the account is inactive for a  
11          specified number of years; specifying that certain  
12          actions of a private school are a basis for program  
13          ineligibility; revising parent and student  
14          responsibilities for program participation; revising  
15          obligations of scholarship-funding organizations;  
16          amending s. 1002.395, F.S.; revising student  
17          eligibility criteria for the Florida Tax Credit  
18          Scholarship Program; requiring the Department of  
19          Education to provide a letter of denial to participate  
20          in the program to a specified entity within a certain  
21          period; requiring the department to provide a letter  
22          of acceptance or denial of specified actions related  
23          to a tax credit to a specified entity and include that  
24          entity on certain letters and correspondence;  
25          authorizing a child of a parent who is a member of the



26 United States Armed Forces to apply for a scholarship  
27 at any time; requiring a parent to approve each  
28 payment made by funds transfer; prohibiting a parent  
29 from designating certain entities or individuals to  
30 approve a funds transfer; providing that consecutive  
31 years of certain material exceptions constitutes  
32 program ineligibility for certain private schools;  
33 revising the annual limits of a scholarship awarded to  
34 certain students; authorizing payment of the  
35 scholarship to be made by funds transfer; specifying  
36 approved means of funds transfer; requiring a parent  
37 to approve a funds transfer before funds are  
38 deposited; providing an effective date.

39

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

41

42 Section 1. Paragraphs (d) and (h) of subsection (2) of  
43 section 1002.385, Florida Statutes, are amended, present  
44 paragraphs (i) and (j) of that subsection are redesignated as  
45 paragraphs (j) and (k), respectively, a new paragraph (i) is  
46 added to that subsection, paragraph (a) of subsection (3) of  
47 that section is amended, paragraph (e) is added to subsection  
48 (4) of that section, and subsection (5), paragraph (b) of  
49 subsection (6), subsection (8), paragraph (f) of subsection  
50 (11), and paragraph (j) of subsection (12) of that section are



51 amended, to read:

52 1002.385 The Gardiner Scholarship.—

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

54 (d) "Disability" means, for a 3- or 4-year-old child or  
55 for a student in kindergarten to grade 12, autism spectrum  
56 disorder, as defined in the Diagnostic and Statistical Manual of  
57 Mental Disorders, Fifth Edition, published by the American  
58 Psychiatric Association; cerebral palsy, as defined in s.  
59 393.063(6); Down syndrome, as defined in s. 393.063(15); an  
60 intellectual disability, as defined in s. 393.063(24); Phelan-  
61 McDermid syndrome, as defined in s. 393.063(28); Prader-Willi  
62 syndrome, as defined in s. 393.063(29); spina bifida, as defined  
63 in s. 393.063(40); being a high-risk child, as defined in s.  
64 393.063(23) (a); muscular dystrophy; ~~and~~ Williams syndrome; rare  
65 diseases which affect patient populations of fewer than 200,000  
66 individuals in the United States, as defined by the National  
67 Organization for Rare Disorders; anaphylaxis; deaf; visually  
68 impaired; dual sensory impaired; traumatic brain injured; or  
69 hospital or homebound, as defined by rules of the State Board of  
70 Education and evidenced by reports from local school districts.  
71 The term "hospital or homebound" includes a student who has a  
72 medically diagnosed physical or psychiatric condition or  
73 illness, as defined by the state board in rule, and who is  
74 confined to the home or hospital for more than 6 months.

75 (h) "IEP" means individual education plan, regardless of



76 | whether the plan has been reviewed or revised within the last 12  
77 | months.

78 | (i) "Inactive" means that eligible expenditures have not  
79 | been made from an account funded pursuant to paragraph (13)(d).

80 | (3) PROGRAM ELIGIBILITY.—A parent of a student with a  
81 | disability may request and receive from the state a Gardiner  
82 | Scholarship for the purposes specified in subsection (5) if:

83 | (a) The student:

84 | 1. Is a resident of this state;

85 | 2. Is 3 or 4 years of age on or before September 1 of the  
86 | year in which the student applies for program participation, or  
87 | is eligible to enroll in kindergarten through grade 12 in a  
88 | public school in this state;

89 | 3. Has a disability as defined in paragraph (2)(d); and

90 | 4. Is the subject of an IEP written in accordance with  
91 | rules of the State Board of Education or with the applicable  
92 | rules of another state or has received a diagnosis of a  
93 | disability from a physician who is licensed under chapter 458 or  
94 | chapter 459, ~~or~~ a psychologist who is licensed under chapter  
95 | 490, or a physician who holds an active license issued by  
96 | another state or territory of the United States, the District of  
97 | Columbia, or the Commonwealth of Puerto Rico.

98 | (4) PROGRAM PROHIBITIONS.—A student is not eligible for  
99 | the program if he or she is:

100 | (e) Enrolled in the Florida School for the Deaf and the



101 Blind.

102 (5) AUTHORIZED USES OF PROGRAM FUNDS.—Program funds must  
103 be used to meet the individual educational needs of an eligible  
104 student and may be spent for the following purposes:

105 (a) Instructional materials, including digital devices,  
106 digital periphery devices, and assistive technology devices that  
107 allow a student to access instruction or instructional content  
108 and training on the use of and maintenance agreements for these  
109 devices.

110 (b) Curriculum as defined in paragraph (2) (b).

111 (c) Specialized services by approved providers or by a  
112 hospital in this state which ~~that~~ are selected by the parent.

113 These specialized services may include, but are not limited to:

114 1. Applied behavior analysis services as provided in ss.  
115 627.6686 and 641.31098.

116 2. Services provided by speech-language pathologists as  
117 defined in s. 468.1125.

118 3. Occupational therapy services as defined in s. 468.203.

119 4. Services provided by physical therapists as defined in  
120 s. 486.021.

121 5. Services provided by listening and spoken language  
122 specialists and an appropriate acoustical environment for a  
123 child who is deaf or hard of hearing and who has received an  
124 implant or assistive hearing device.

125 (d) Enrollment in, or tuition or fees associated with



126 enrollment in, a home education program, an eligible private  
127 school, an eligible postsecondary educational institution or a  
128 program offered by the institution, a private tutoring program  
129 authorized under s. 1002.43, a virtual program offered by a  
130 department-approved private online provider that meets the  
131 provider qualifications specified in s. 1002.45(2)(a), the  
132 Florida Virtual School as a private paying student, or an  
133 approved online course offered pursuant to s. 1003.499 or s.  
134 1004.0961.

135 (e) Fees for nationally standardized, norm-referenced  
136 achievement tests, Advanced Placement Examinations, industry  
137 certification examinations, assessments related to postsecondary  
138 education, or other assessments.

139 (f) Contributions to the Stanley G. Tate Florida Prepaid  
140 College Program pursuant to s. 1009.98 or the Florida College  
141 Savings Program pursuant to s. 1009.981, for the benefit of the  
142 eligible student.

143 (g) Contracted services provided by a public school or  
144 school district, including classes. A student who receives  
145 services under a contract under this paragraph is not considered  
146 enrolled in a public school for eligibility purposes as  
147 specified in subsection (4).

148 (h) Tuition and fees for part-time tutoring services  
149 provided by a person who holds a valid Florida educator's  
150 certificate pursuant to s. 1012.56; a person who holds an



151 adjunct teaching certificate pursuant to s. 1012.57; or a person  
152 who has demonstrated a mastery of subject area knowledge  
153 pursuant to s. 1012.56(5). As used in this paragraph, the term  
154 "part-time tutoring services" does not qualify as regular school  
155 attendance as defined in s. 1003.01(13)(e).

156 (i) Fees for specialized summer education programs.

157 (j) Fees for specialized after-school education programs.

158 (k) Transition services provided by job coaches.

159 (l) Fees for an annual evaluation of educational progress  
160 by a state-certified teacher under s. 1002.41(1)(c), if this  
161 option is chosen for a home education student.

162 (m) Tuition and fees associated with programs offered by  
163 Voluntary Prekindergarten Education Program providers approved  
164 pursuant to s. 1002.55 and school readiness providers approved  
165 pursuant to s. 1002.88.

166 (n) Fees for services provided at a center that is a  
167 member of the Professional Association of Therapeutic  
168 Horsemanship International.

169 (o) Fees for services provided by a therapist who is  
170 certified by the Certification Board for Music Therapists or  
171 credentialed by the Art Therapy Credentials Board.

172

173 A provider of any services receiving payments pursuant to this  
174 subsection may not share, refund, or rebate any moneys from the  
175 Gardiner Scholarship with the parent or participating student in



176 | any manner. A parent, student, or provider of any services may  
177 | not bill an insurance company, Medicaid, or any other agency for  
178 | the same services that are paid through the Gardiner Scholarship  
179 | funds.

180 | (6) TERM OF THE PROGRAM.—For purposes of continuity of  
181 | educational choice and program integrity:

182 | (b)1. A student's scholarship account must be closed and  
183 | any remaining funds, including, but not limited to,  
184 | contributions made to the Stanley G. Tate Florida Prepaid  
185 | College Program or earnings from or contributions made to the  
186 | Florida College Savings Program using program funds pursuant to  
187 | paragraph (5)(f), shall revert to the state after ~~upon~~:

188 | a. Denial or revocation of program eligibility by the  
189 | commissioner for fraud or abuse, including, but not limited to,  
190 | the student or student's parent accepting any payment, refund,  
191 | or rebate, in any manner, from a provider of any services  
192 | received pursuant to subsection (5); ~~or~~

193 | b. ~~After~~ Any period of 3 consecutive years after high  
194 | school completion or graduation during which the student has not  
195 | been enrolled in an eligible postsecondary educational  
196 | institution or a program offered by the institution; or—

197 | c. Three consecutive fiscal years in which an account has  
198 | been inactive.

199 | 2. The commissioner must notify the parent and the  
200 | organization when a Gardiner Scholarship account is closed and





201 program funds revert to the state.

202 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An  
203 eligible private school may be sectarian or nonsectarian and  
204 shall:

205 (a) Comply with all requirements for private schools  
206 participating in state school choice scholarship programs  
207 pursuant to s. 1002.421.

208 (b) Provide to the organization, upon request, all  
209 documentation required for the student's participation,  
210 including the private school's and student's fee schedules.

211 (c) Be academically accountable to the parent for meeting  
212 the educational needs of the student by:

213 1. At a minimum, annually providing to the parent a  
214 written explanation of the student's progress.

215 2. Annually administering or making provision for students  
216 participating in the program in grades 3 through 10 to take one  
217 of the nationally norm-referenced tests identified by the  
218 Department of Education or the statewide assessments pursuant to  
219 s. 1008.22. Students with disabilities for whom standardized  
220 testing is not appropriate are exempt from this requirement. A  
221 participating private school shall report a student's scores to  
222 the parent.

223 3. Cooperating with the scholarship student whose parent  
224 chooses to have the student participate in the statewide  
225 assessments pursuant to s. 1008.22 or, if a private school



226 chooses to offer the statewide assessments, administering the  
227 assessments at the school.

228 a. A participating private school may choose to offer and  
229 administer the statewide assessments to all students who attend  
230 the private school in grades 3 through 10.

231 b. A participating private school shall submit a request  
232 in writing to the Department of Education by March 1 of each  
233 year in order to administer the statewide assessments in the  
234 subsequent school year.

235 (d) Employ or contract with teachers who have regular and  
236 direct contact with each student receiving a scholarship under  
237 this section at the school's physical location.

238 (e) Annually contract with an independent certified public  
239 accountant to perform the agreed-upon procedures developed under  
240 s. 1002.395(6)(o) and produce a report of the results if the  
241 private school receives more than \$250,000 in funds from  
242 scholarships awarded under this section in the 2014-2015 state  
243 fiscal year or a state fiscal year thereafter. A private school  
244 subject to this paragraph must annually submit the report by  
245 September 15, ~~2015,~~ and ~~annually thereafter~~ to the organization  
246 that awarded the majority of the school's scholarship funds. The  
247 agreed-upon procedures must be conducted in accordance with  
248 attestation standards established by the American Institute of  
249 Certified Public Accountants.

250



251 If ~~The inability of~~ a private school is unable to meet the  
252 requirements of this subsection or has in consecutive years had  
253 material exceptions listed in its agreed-upon procedures  
254 reports, there is ~~constitutes~~ a basis for the ineligibility of  
255 the private school to participate in the program as determined  
256 by the commissioner.

257 (11) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM  
258 PARTICIPATION.—A parent who applies for program participation  
259 under this section is exercising his or her parental option to  
260 determine the appropriate placement or the services that best  
261 meet the needs of his or her child. The scholarship award for a  
262 student is based on a matrix that assigns the student to support  
263 Level III services. If a parent receives an IEP and a matrix of  
264 services from the school district pursuant to subsection (7),  
265 the amount of the payment shall be adjusted as needed, when the  
266 school district completes the matrix.

267 (f) The parent is responsible for procuring the services  
268 necessary to educate the student. If a parent does not procure  
269 the necessary educational services for the student and the  
270 student's account has been inactive for 2 consecutive fiscal  
271 years, the student is ineligible for additional scholarship  
272 payments until the scholarship-funding organization verifies  
273 that expenditures from the account have occurred. When the  
274 student receives a Gardiner Scholarship, the district school  
275 board is not obligated to provide the student with a free



276 appropriate public education. For purposes of s. 1003.57 and the  
277 Individuals with Disabilities in Education Act, a participating  
278 student has only those rights that apply to all other  
279 unilaterally parentally placed students, except that, when  
280 requested by the parent, school district personnel must develop  
281 an individual education plan or matrix level of services.

282

283 A parent who fails to comply with this subsection forfeits the  
284 Gardiner Scholarship.

285 (12) OBLIGATIONS OF SCHOLARSHIP-FUNDING ORGANIZATIONS.—An  
286 organization may establish Gardiner Scholarships for eligible  
287 students by:

288 (j) Documenting each scholarship student's eligibility for  
289 a fiscal year before granting a scholarship for that fiscal year  
290 pursuant to paragraph (3) (b). A student is ineligible for  
291 scholarship funding if the student's account has been inactive  
292 for 2 consecutive fiscal years. However, once an eligible  
293 expenditure is made pursuant to paragraph (11) (f), the student  
294 may resume scholarship funding, based on available funds.

295 Section 2. Paragraph (f) of subsection (5) of section  
296 1002.395, Florida Statutes, is redesignated as paragraph (g),  
297 subsection (3), paragraph (b) of subsection (5), paragraph (h)  
298 of subsection (6), paragraph (f) of subsection (7), subsection  
299 (8), and paragraphs (a) and (b) of subsection (12) are amended,  
300 and a new paragraph (f) is added to subsection (5) of that



301 section, to read:

302 1002.395 Florida Tax Credit Scholarship Program.—

303 (3) PROGRAM; SCHOLARSHIP ELIGIBILITY.—

304 (a) The Florida Tax Credit Scholarship Program is  
305 established.

306 ~~(b) For the 2014-2015 and 2015-2016 school years,~~  
307 ~~contingent upon available funds, a student is eligible for a~~  
308 ~~Florida tax credit scholarship under this section if the student~~  
309 ~~meets one or more of the following criteria:~~

310 ~~1. The student qualifies for free or reduced-price school~~  
311 ~~lunches under the National School Lunch Act or is on the direct~~  
312 ~~certification list;~~

313 ~~2. The student is currently placed, or during the previous~~  
314 ~~state fiscal year was placed, in foster care or in out-of-home~~  
315 ~~care as defined in s. 39.01; or~~

316 ~~3. The student continues in the scholarship program as~~  
317 ~~long as the student's household income level does not exceed 230~~  
318 ~~percent of the federal poverty level.~~

319 (b)(c) ~~For the 2016-2017 school year and thereafter,~~  
320 ~~contingent upon available funds,~~ A student is eligible for a  
321 Florida tax credit scholarship under this section if the student  
322 meets one or more of the following criteria:

323 1. The student is on the direct certification list or the  
324 student's household income level does not exceed 185 percent of  
325 the federal poverty level; or



326           2. The student is currently placed, or during the previous  
327 state fiscal year was placed, in foster care or in out-of-home  
328 care as defined in s. 39.01.

329           3. The student's household income level is greater than  
330 185 percent of the federal poverty level but does not exceed 260  
331 percent of the federal poverty level.

332  
333 A student who initially receives a scholarship based on  
334 eligibility under subparagraph (b)2. ~~or subparagraph (c)2.~~  
335 remains eligible to participate until the student graduates from  
336 high school or attains the age of 21 years, whichever occurs  
337 first, regardless of the student's household income level. A  
338 sibling of a student who is participating in the scholarship  
339 program under this subsection is eligible for a scholarship if  
340 the student resides in the same household as the sibling.

341           (5) SCHOLARSHIP FUNDING TAX CREDITS; LIMITATIONS.—

342           (b) A taxpayer may submit an application to the department  
343 for a tax credit or credits under one or more of s. 211.0251, s.  
344 212.1831, s. 220.1875, s. 561.1211, or s. 624.51055.

345           1. The taxpayer shall specify in the application each tax  
346 for which the taxpayer requests a credit and the applicable  
347 taxable year for a credit under s. 220.1875 or s. 624.51055 or  
348 the applicable state fiscal year for a credit under s. 211.0251,  
349 s. 212.1831, or s. 561.1211. The department shall approve tax  
350 credits on a first-come, first-served basis and must obtain the



351 division's approval before approving a tax credit under s.  
352 561.1211.

353 2. Within 10 days after approving or denying an  
354 application, the department shall provide a copy of its approval  
355 or denial letter to the eligible nonprofit scholarship-funding  
356 organization specified by the taxpayer in the application.

357 (f) Within 10 days after approving or denying an  
358 application for a carryforward tax credit under paragraph (c),  
359 the conveyance, transfer, or assignment of a tax credit under  
360 paragraph (d), or the rescindment of a tax credit under  
361 paragraph (e), the department shall provide a copy of its  
362 approval or denial letter to the eligible nonprofit scholarship-  
363 funding organization specified by the taxpayer. The department  
364 shall also include the eligible nonprofit scholarship-funding  
365 organization specified by the taxpayer on all letters or  
366 correspondence of acknowledgment for tax credits under s.  
367 212.1831.

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

371 (h) Must allow a student in foster care or out-of-home  
372 care or a dependent child of a parent who is a member of the  
373 United States Armed Forces to apply for a scholarship at any  
374 time.

375



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

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

383 (f) Upon receipt of a scholarship warrant from the  
384 eligible nonprofit scholarship-funding organization, the parent  
385 to whom the warrant is made must restrictively endorse the  
386 warrant to the private school for deposit into the account of  
387 the private school. If payments are made by funds transfer, the  
388 parent must approve each payment before the scholarship funds  
389 may be deposited. The parent may not designate any entity or  
390 individual associated with the participating private school as  
391 the parent's attorney in fact to endorse a scholarship warrant  
392 or approve a funds transfer. A participant who fails to comply  
393 with this paragraph forfeits the scholarship.

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

397 (a) Comply with all requirements for private schools  
398 participating in state school choice scholarship programs  
399 pursuant to s. 1002.421.

400 (b) Provide to the eligible nonprofit scholarship-funding





401 organization, upon request, all documentation required for the  
402 student's participation, including the private school's and  
403 student's fee schedules.

404 (c) Be academically accountable to the parent for meeting  
405 the educational needs of the student by:

406 1. At a minimum, annually providing to the parent a  
407 written explanation of the student's progress.

408 2. Annually administering or making provision for students  
409 participating in the scholarship program in grades 3 through 10  
410 to take one of the nationally norm-referenced tests identified  
411 by the Department of Education or the statewide assessments  
412 pursuant to s. 1008.22. Students with disabilities for whom  
413 standardized testing is not appropriate are exempt from this  
414 requirement. A participating private school must report a  
415 student's scores to the parent. A participating private school  
416 must annually report by August 15 the scores of all  
417 participating students to the Learning System Institute  
418 described in paragraph (9)(j).

419 3. Cooperating with the scholarship student whose parent  
420 chooses to have the student participate in the statewide  
421 assessments pursuant to s. 1008.22 or, if a private school  
422 chooses to offer the statewide assessments, administering the  
423 assessments at the school.

424 a. A participating private school may choose to offer and  
425 administer the statewide assessments to all students who attend



426 the private school in grades 3 through 10.

427 b. A participating private school must submit a request in  
428 writing to the Department of Education by March 1 of each year  
429 in order to administer the statewide assessments in the  
430 subsequent school year.

431 (d) Employ or contract with teachers who have regular and  
432 direct contact with each student receiving a scholarship under  
433 this section at the school's physical location.

434 (e) Provide a report from ~~Annually contract with~~ an  
435 independent certified public accountant who performs ~~to perform~~  
436 the agreed-upon procedures developed under paragraph (6) (o) ~~and~~  
437 ~~produce a report of the results~~ if the private school receives  
438 more than \$250,000 in funds from scholarships awarded under this  
439 section in ~~the 2010-2011 state fiscal year or~~ a state fiscal  
440 year ~~thereafter~~. A private school subject to this paragraph must  
441 annually submit the report by September 15, ~~2011,~~ ~~and annually~~  
442 ~~thereafter~~ to the scholarship-funding organization that awarded  
443 the majority of the school's scholarship funds. The agreed-upon  
444 procedures must be conducted in accordance with attestation  
445 standards established by the American Institute of Certified  
446 Public Accountants.

447  
448 If ~~The inability of~~ a private school is unable to meet the  
449 requirements of this subsection or has consecutive years of  
450 material exceptions listed in the report required under



451 paragraph (e), the commissioner may determine that shall  
452 ~~constitute a basis for the ineligibility of the private school~~  
453 is ineligible to participate in the scholarship program as  
454 determined by the Department of Education.

455 (12) SCHOLARSHIP AMOUNT AND PAYMENT.—

456 (a) Except as provided in subparagraph 2., the scholarship  
457 ~~amount of a scholarship~~ provided to any student for any single  
458 school year by an eligible nonprofit scholarship-funding  
459 organization from eligible contributions shall be for total  
460 costs authorized under paragraph (6) (d), not to exceed annual  
461 limits, which shall be determined as follows:

462 1.a. The base amount ~~For a scholarship~~ awarded to a  
463 student enrolled in an eligible private school, ~~the limit shall~~  
464 be determined as a percentage ~~by multiplying the unweighted FTE~~  
465 ~~funding amount in that state fiscal year by the percentage used~~  
466 ~~to determine the limit in the prior state fiscal year. However,~~  
467 ~~in each state fiscal year that the tax credit cap amount~~  
468 ~~increases pursuant to paragraph (5) (a), the prior year~~  
469 ~~percentage shall be increased by 4 percentage points and the~~  
470 ~~increased percentage shall be used to determine the limit for~~  
471 ~~that state fiscal year. If the percentage so calculated reaches~~  
472 ~~80 percent in a state fiscal year, no further increase in the~~  
473 ~~percentage is allowed and the limit shall be 80 percent of the~~  
474 ~~unweighted FTE funding amount for that state fiscal year and~~  
475 ~~thereafter. Beginning in the 2016-2017 state fiscal year, the~~



476 ~~amount of a scholarship awarded to a student enrolled in an~~  
477 ~~eligible private school shall be equal to 82 percent of the~~  
478 ~~unweighted FTE funding amount for that state fiscal year and~~  
479 ~~thereafter as follows:-~~

480 (I) Eighty-eight percent for a student enrolled in  
481 kindergarten through grade 5.

482 (II) Ninety-two percent for a student enrolled in grade 6  
483 through grade 8.

484 (III) Ninety-six percent for a student enrolled in grade 9  
485 through grade 12.

486 b. The ~~For a~~ scholarship amount awarded to a student  
487 enrolled in a Florida public school that is located outside the  
488 district in which the student resides or in a lab school as  
489 defined in s. 1002.32, is limited to \$750 ~~the limit shall be~~  
490 ~~\$500.~~

491 ~~2. The annual limit for a scholarship under sub-~~  
492 ~~subparagraph 1.a. shall be reduced by:~~

493 a. ~~Twenty five percent if the student's household income~~  
494 ~~level is equal to or greater than 200 percent, but less than 215~~  
495 ~~percent, of the federal poverty level.~~

496 b. ~~Fifty percent if the student's household income level~~  
497 ~~is equal to or greater than 215 percent, but equal to or less~~  
498 ~~than 230 percent, of the federal poverty level.~~

499 2.3. ~~For the 2016-2017 state fiscal year and thereafter,~~  
500 ~~The annual limit for a scholarship under sub-subparagraph 1.a.~~



501 shall be reduced by:

502 a. Twelve percent if the student's household income level  
503 is greater than or equal to 200 percent, but less than 215  
504 percent, of the federal poverty level.

505 b. Twenty-six percent if the student's household income  
506 level is greater than or equal to 215 percent, but less than 230  
507 percent, of the federal poverty level.

508 c. Forty percent if the student's household income level  
509 is greater than or equal to 230 percent, but less than 245  
510 percent, of the federal poverty level.

511 d. Fifty percent if the student's household income level  
512 is greater than or equal to 245 percent, but less than or equal  
513 to 260 percent, of the federal poverty level.

514 (b) Payment of the scholarship by the eligible nonprofit  
515 scholarship-funding organization shall be by individual warrant  
516 made payable to the student's parent or by funds transfer,  
517 including, but not limited to, debit cards, electronic payment  
518 cards, or any other means of payment that the department deems  
519 to be commercially viable or cost-effective. If the payment is  
520 made by warrant ~~parent chooses that his or her child attend an~~  
521 ~~eligible private school,~~ the warrant must be delivered by the  
522 eligible nonprofit scholarship-funding organization to the  
523 private school of the parent's choice, and the parent shall  
524 restrictively endorse the warrant to the private school. An  
525 eligible nonprofit scholarship-funding organization shall ensure



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526 | that the parent to whom the warrant is made restrictively  
527 | endorsed the warrant to the private school for deposit into the  
528 | account of the private school or that the parent has approved a  
529 | funds transfer before any scholarship funds are deposited.

530 | Section 3. This act shall take effect July 1, 2017.