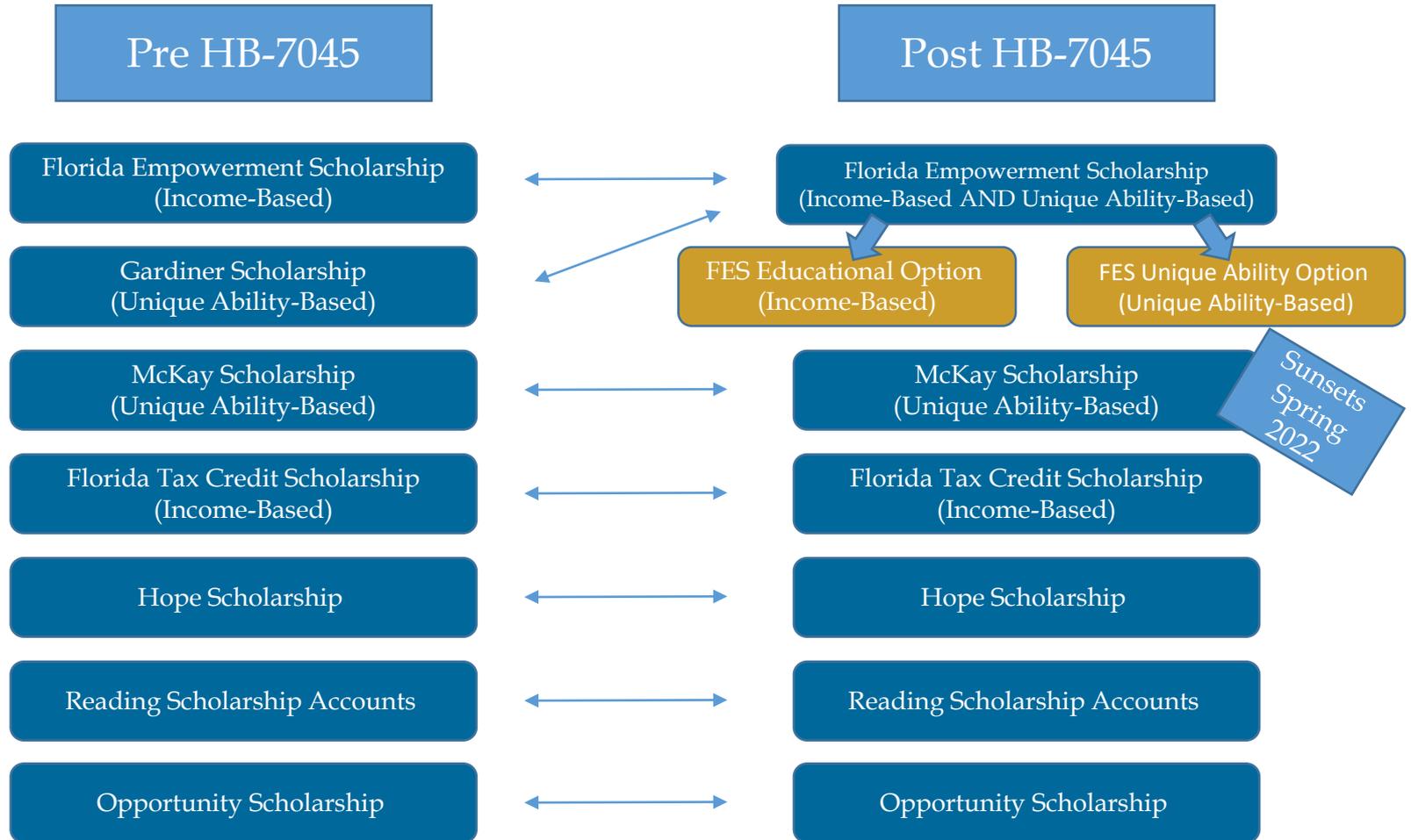




FLORIDA DEPARTMENT OF
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Amendment to Rule 6A-6.0952 Family Empowerment Scholarship

Scholarship Changes Through HB-7045



- During the 2021 Legislative Session, HB-7045 made **significant updates** to the Family Empowerment Scholarship (FES) by establishing two distinct options in the program:
 - **Family Empowerment Scholarship for Educational Options (FES-EO); and**
 - **Family Empowerment Scholarship for Students with Unique Abilities (FES-UA).**
- The proposed amendment updates the FES Rule language to align with those adopted in HB-7045.
- Specifically, the proposed rule amendment addresses:
 - How families establish program eligibility requirements,
 - Scholarship payment procedures, and
 - Obligations of private schools, school districts, and Scholarship-Funding Organizations (SFOs)

• FES for Educational Options

This option will **function similar to the original FES program** established during the 2019 Legislative Session, with the following exceptions:

- Eligible **household income level is increased** to 375% Federal Poverty Level (FPL).
- The **prior year enrollment in public school requirement is removed.**
- Program eligibility is expanded to **include dependents of U.S. Armed Forces, including reservists, and siblings of students receiving a FES for Educational Options or Students with Disabilities.**
- SFOs will now receive funding from DOE and disburse it to private schools on behalf of families.

• FES for Students with Unique Abilities

- This portion of the program is designed to **provide educational savings accounts for students with disabilities.** Students formerly on the Gardiner Scholarship and, beginning in 2022-23, the McKay Scholarship, will be rolled into this subcategory of FES.
- Unlike FES for Educational Options, funding for these students can be used for a variety of services and therapies traditionally only made available to Gardiner Students.

- The bill establishes a **maximum program capacity for FES-UA of 20,000 students** beginning in 2021-2022, with this maximum number **increasing by 1.0% of the State's total Exceptional Student Education (ESE) FTE enrollment**, not including gifted students. The following students are excluded from this cap:
 - Students who received specialized instructional services in VPK the prior school year; attended public school in the prior school year or received a McKay Scholarship in the 2021-2022 school year; is a dependent child of a member of the U.S. Armed Forces, a foster child, or an adopted child.
- The bill continues an **annual increase of 1.0% of the State's total FTE enrollment for FES-EO, providing for an estimated 75,573 scholarships** in the 2021-22 school year, not including students who are excluded from this cap:
 - The student is a dependent child of a member of the U.S. Armed Forces, a foster child, or an adopted child; meets certain eligibility requirements and attended public school in the prior school year; received a Florida Tax Credit (FTC) or Hope scholarship in the prior year that was not renewed due to a lack of available funds (up to 15,000 students); or beginning in 2022-2023, is eligible to enroll in kindergarten.

Implementation of HB-7045

- The Department continues to work closely with our SFOs on the implementation of HB 7045.
- The Department is on-track to issue the first round of payments on September 1st.

Rule Development

- A Rule Workshop was held on July 8, 2021 in which members of the public, as well as stakeholders, were able to provide feedback on drafted rule language. During this workshop, several participants advocated for the following:
 - Inclusion of Reservists in the definition of "Active Duty Military"
 - Establishment of deadlines for SFOs to process reimbursements, direct payments, and preauthorization requests.
- Ultimately, both of these proposals were incorporated into the current proposed rule amendment.

- At this time the Office for Independent Education and Parental Choice (IEPC) has **received over 88,000 student records to evaluate for payment in FES-EO.**
 - As of August 13th, approximately **30,000 of the students qualify for the program in categories that are exempt from the cap** amount established in law.
 - The remaining students qualify under the **2021-2022 cap of 75,573 students.**
- Further, IEPC has received **over 22,000 records of eligible students from SFOs for FES-UA.**
 - Approximately **2,000 qualify for the program in categories exempt from the cap, which is 20,000 for the 2021-22 school year.**
 - SFOs have indicated that they have a large number of additional applications in various stages of submission and review.

Summary of Proposed Rule Amendment:

- **Ensures Educational Choice for Florida’s Military Families –**
 - The proposed amendment clarifies that a “dependent child of a member of the United States Armed Forces” includes Reservists.
- **Expedites Availability of Scholarships –**
 - The proposed amendment provides that SFOs may request FES students to annually indicate the intent to continue participation in order to ensure funds are reserved for those planning on continuing in the program and to make sure available funds are being used.
- **Expedites Scholarship Payment Procedures –**
 - The proposed amendment requires SFOs to initiate payment to a participating private school within 7 days of receipt of the funds.
 - Further, the amendment required SFOs to process reimbursements, direct payments, and preauthorization requests for eligible program expenditures as soon as practicable but in no case later than 60 days from receipt of the required documentation.

Questions?