

Fiscal Year 2025-2026 Conforming Bill
Relating to the Family Empowerment Scholarship Program for
Students with Unique Abilities

BILL

2025

1 A bill to be entitled
2 An act relating to the Family Empowerment Scholarship
3 Program for Students with Unique Abilities; amending s.
4 1002.394, F.S.; transferring responsibilities for
5 evaluating students in the Family Empowerment Scholarship
6 Program for Students with Unique Abilities from the school
7 district to the Florida Diagnostic Learning Resources;
8 providing an effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Subsections (8)-(17) are renumbered as
13 subsections (9)-(18), a new subsection (8) is added, and
14 subsection (7) and new subsection (9) of section 1002.394,
15 Florida Statutes, are amended to read:

16 1002.394 The Family Empowerment Scholarship Program.-

17 (7) SCHOOL DISTRICT OBLIGATIONS.-

18 (a) By January 1 of each year, a school district shall
19 inform all households within the district receiving free or
20 reduced-priced meals under the National School Lunch Act of
21 their eligibility to apply to the department for a Family
22 Empowerment Scholarship. The form of such notice shall be
23 provided by the department, and the school district shall
24 include the provided form in any normal correspondence with
25 eligible households. Such notice is limited to once a year.

26 ~~(b)1. The parent of a student with a disability who does~~
27 ~~not have an IEP in accordance with subparagraph (3) (b) 4. or who~~

Fiscal Year 2025-2026 Conforming Bill
Relating to the Family Empowerment Scholarship Program for
Students with Unique Abilities

BILL

2025

28 ~~seeks a reevaluation of an existing IEP may request an IEP~~
29 ~~meeting and evaluation from the school district in order to~~
30 ~~obtain or revise a matrix of services. The school district shall~~
31 ~~notify a parent who has made a request for an IEP that the~~
32 ~~district is required to complete the IEP and matrix of services~~
33 ~~within 30 days after receiving notice of the parent's request.~~
34 ~~The school district shall conduct a meeting and develop an IEP~~
35 ~~and a matrix of services within 30 days after receipt of the~~
36 ~~parent's request in accordance with State Board of Education~~
37 ~~rules. The district must accept the diagnosis and consider the~~
38 ~~service plan of the licensed professional providing the~~
39 ~~diagnosis pursuant to subparagraph (3)(b)4. The school district~~
40 ~~must complete a matrix that assigns the student to one of the~~
41 ~~levels of service as they existed before the 2000-2001 school~~
42 ~~year. For a nonpublic school student without an IEP, the school~~
43 ~~district is authorized to use evaluation reports and plans of~~
44 ~~care developed by the licensed professionals under subparagraph~~
45 ~~(4)(b)3. to complete the matrix of services.~~

46 ~~2.a. The school district must provide the student's parent~~
47 ~~and the department with the student's matrix level within 10~~
48 ~~calendar days after its completion.~~

49 ~~b. The department shall notify the parent and the~~
50 ~~organization of the amount of the funds awarded within 10 days~~
51 ~~after receiving the school district's notification of the~~
52 ~~student's matrix level.~~

53 ~~e. A school district may change a matrix of services only~~
54 ~~if the change is a result of an IEP reevaluation or to correct a~~

Fiscal Year 2025-2026 Conforming Bill
Relating to the Family Empowerment Scholarship Program for
Students with Unique Abilities

BILL

2025

55 ~~technical, typographical, or calculation error.~~

56 (b)(e)1. The school district must notify the parent of a
57 student with a disability, wWithin 10 days after an IEP meeting
58 ~~is held, a school district shall notify the parent of a student~~
59 of all options available pursuant to this section and offer that
60 student's parent an opportunity to enroll the student in another
61 public school in the school district.

62 (c)2.—The parent is not required to accept the offer of
63 enrolling the student in another public school in lieu of
64 requesting a scholarship. However, if the parent chooses the
65 public school option, the student may continue attending the
66 public school chosen by the parent until the student graduates
67 from high school.

68 (d)3.—The parent may choose another public school in the
69 school district, and the school district shall provide
70 transportation to the public school selected by the parent.

71 (e)4.—The parent may choose, as an alternative, to enroll
72 the student in and transport the student to a public school in
73 an adjacent school district that has available space and has a
74 program with the services agreed to in the student's IEP already
75 in place, and that school district shall accept the student and
76 report the student for purposes of the school district's funding
77 pursuant to the Florida Education Finance Program.

78 (f)(d) Upon the request of the department, a school
79 district shall coordinate with the department to provide to a
80 participating private school the statewide assessments
81 administered under s. 1008.22 and any related materials for

Fiscal Year 2025-2026 Conforming Bill
Relating to the Family Empowerment Scholarship Program for
Students with Unique Abilities

BILL

2025

82 administering the assessments. For a student who participates in
83 the Family Empowerment Scholarship Program whose parent requests
84 that the student take the statewide assessments under
85 s. 1008.22, the district in which the student attends a private
86 school shall provide locations and times to take all statewide
87 assessments. A school district is responsible for implementing
88 test administrations at a participating private school,
89 including the:

- 90 1. Provision of training for private school staff on test
91 security and assessment administration procedures;
- 92 2. Distribution of testing materials to a private school;
- 93 3. Retrieval of testing materials from a private school;
- 94 4. Provision of the required format for a private school to
95 submit information to the district for test administration and
96 enrollment purposes; and
- 97 5. Provision of any required assistance, monitoring, or
98 investigation at a private school.

99 (g) ~~(e)~~—Each school district must publish information about
100 the Family Empowerment Scholarship Program on the district's
101 website homepage. At a minimum, the published information must
102 include a website link to the Family Empowerment Scholarship
103 Program published on the Department of Education website as well
104 as a telephone number and e-mail that students and parents may
105 use to contact relevant personnel in the school district to
106 obtain information about the scholarship.

107 (8) FLORIDA DIAGNOSTIC LEARNING RESOURCES SYSTEMS (FDLRS)

108 OBLIGATIONS-

Fiscal Year 2025-2026 Conforming Bill
Relating to the Family Empowerment Scholarship Program for
Students with Unique Abilities

BILL

2025

109 (a) The parent of a student participating in the Family
110 Empowerment Scholarship for Unique Abilities, pursuant to
111 paragraph (3) (b), with a disability who has an existing IEP may
112 request an IEP review from FDLRS in order to obtain or revise a
113 matrix of services. FDLRS must conduct a meeting and provide a
114 new or revised matrix of services, as applicable, within 30 days
115 after receipt of the parent's request in accordance with State
116 Board of Education rules.

117 (b) The parent of a student with a disability who does not
118 have an IEP in accordance with subparagraph (3) (b) 4. and seeks a
119 review of existing medical documentation may request a medical
120 documentation review. FDLRS must accept the diagnosis and
121 consider the service plan of the licensed professional providing
122 the diagnosis pursuant to subparagraph (3) (b) 4. FDLRS must
123 complete a matrix that assigns the student to one of the levels
124 of service within 30 days after receipt of the parent's request
125 and medical documentation, in accordance with State Board of
126 Education rules. FDLRS is authorized to use evaluation reports
127 and plans of care developed by the licensed professionals under
128 subparagraph (4) (b) 3. to complete the matrix of services.

129 (c) FDLRS must provide the student's parent and the
130 department with the student's matrix level within 30 calendar
131 days after the completion of the matrix of services.

132 (d) FDLRS may change a matrix of services only if the
133 change is a result of an IEP reevaluation, change in medical
134 documentation, or to correct technical, typographical, or
135 calculation errors.

Fiscal Year 2025-2026 Conforming Bill
Relating to the Family Empowerment Scholarship Program for
Students with Unique Abilities

BILL

2025

136 (9)~~(8)~~—DEPARTMENT OF EDUCATION OBLIGATIONS.—

137 (a) The department shall:

138 1. Publish and update, as necessary, information on the
139 department website about the Family Empowerment Scholarship
140 Program, including, but not limited to, student eligibility
141 criteria, parental responsibilities, and relevant data.

142 2. Report, as part of the determination of full-time
143 equivalent membership pursuant to s. 1011.62(1)(a), all
144 scholarship students funded through the Florida Education
145 Finance Program, and cross-check the list of participating
146 scholarship students submitted by the eligible nonprofit
147 scholarship-funding organization with the full-time equivalent
148 student membership survey data to avoid duplication.

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

154 4. Notify eligible nonprofit scholarship-funding
155 organizations of the deadlines for submitting the verified list
156 of eligible scholarship students.

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

159 6. Notify the parent and the organization when a
160 scholarship account is closed and program funds revert to the
161 state.

162 7. Notify an eligible nonprofit scholarship-funding

Fiscal Year 2025-2026 Conforming Bill
Relating to the Family Empowerment Scholarship Program for
Students with Unique Abilities

BILL

2025

163 organization of any of the organization's or other
164 organizations' identified students who are receiving
165 scholarships under this chapter.

166 8. Maintain on its website a list of approved providers as
167 required by s. 1002.66, eligible postsecondary educational
168 institutions, eligible private schools, and eligible
169 organizations and may identify or provide links to lists of
170 other approved providers.

171 9. Require each organization to verify eligible
172 expenditures before the distribution of funds for any
173 expenditures made pursuant to subparagraphs (4) (b)1. and 2.
174 Review of expenditures made for services specified in
175 subparagraphs (4) (b)3.-15. may be completed after the purchase
176 is made.

177 10. Investigate any written complaint of a violation of
178 this section by a parent, a student, a private school, a public
179 school, a school district, an organization, a provider, or
180 another appropriate party in accordance with the process
181 established under s. 1002.421.

182 11. Require quarterly reports by an organization, which
183 must include, at a minimum, the number of students participating
184 in the program; the demographics of program participants; the
185 disability category of program participants; the matrix level of
186 services, if known; the program award amount per student; the
187 total expenditures for the purposes specified in paragraph
188 (4) (b); the types of providers of services to students; the
189 number of scholarship applications received, the number of

Fiscal Year 2025-2026 Conforming Bill
Relating to the Family Empowerment Scholarship Program for
Students with Unique Abilities

BILL

2025

190 applications processed within 30 days after receipt, and the
191 number of incomplete applications received; data related to
192 reimbursement submissions, including the average number of days
193 for a reimbursement to be reviewed and the average number of
194 days for a reimbursement to be approved; any parent input and
195 feedback collected regarding the program; and any other
196 information deemed necessary by the department.

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

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

208 14. The department shall notify the organization of the
209 amount of funds awarded within 10 days after receiving FDLRS'
210 notification of the student's matrix level. The organization
211 shall notify the parent within 10 days after receiving the
212 notification from the department.

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

215 1. Suspend or revoke program participation or use of
216 program funds by the student or participation or eligibility of

Fiscal Year 2025-2026 Conforming Bill
Relating to the Family Empowerment Scholarship Program for
Students with Unique Abilities

BILL

2025

217 an organization, eligible postsecondary educational institution,
218 approved provider, or other party for a violation of this
219 section.

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

222 3. Recover unexpended program funds or withhold payment of
223 an equal amount of program funds to recover program funds that
224 were not authorized for use.

225

226 In determining whether to suspend or revoke participation or
227 lift a suspension or revocation in accordance with this
228 paragraph, the department may consider factors that include, but
229 are not limited to, acts or omissions that led to a previous
230 suspension or revocation of participation in a state or federal
231 program or an education scholarship program; failure to
232 reimburse the organization for funds improperly received or
233 retained; failure to reimburse government funds improperly
234 received or retained; imposition of a prior criminal sanction
235 related to the person or entity or its officers or employees;
236 imposition of a civil fine or administrative fine, license
237 revocation or suspension, or program eligibility suspension,
238 termination, or revocation related to a person's or entity's
239 management or operation; or other types of criminal proceedings
240 in which the person or entity or its officers or employees were
241 found guilty of, regardless of adjudication, or entered a plea
242 of nolo contendere or guilty to, any offense involving fraud,
243 deceit, dishonesty, or moral turpitude.

Fiscal Year 2025-2026 Conforming Bill
Relating to the Family Empowerment Scholarship Program for
Students with Unique Abilities

BILL

2025

244 (c) The department shall notify each school district of the
245 full-time equivalent student consensus estimate of students
246 participating in the program developed pursuant to
247 s. 216.136(4) (a).

248 (d) The department may provide guidance to a participating
249 private school that submits a transition-to-work program plan
250 pursuant to subsection (16).

251 Section 2. This act shall take effect July 1, 2025.