

Introduction

This report is submitted in accordance with Section 1002.421(2)(c), Florida Statutes (F.S.), which provides that the Florida Department of Education shall:

Annually, by December 15, report to the Governor, the President of the Florida Senate, and the Speaker of the Florida House of Representatives its actions in implementing accountability in the scholarship programs under this section, any substantiated allegations or violations of law or rule by an eligible private school under this section, and the corrective action taken.

Section 1002.421(1), F.S., establishes accountability measures for private schools participating in the John M. McKay, Florida Tax Credit, Gardiner, Hope, and Family Empowerment Scholarship Programs outlined in s. 1002.39, 1002.395, 1002.385, 1002.40 and 1002.394, F.S., respectively. State Board Rules 6A-6.0970, 6A-6.0960, 6A-0961, 6A-6.0951 and 6A-6.0952, Florida Administrative Code (F.A.C.), clarify and establish requirements for private schools and student participation in the state scholarship programs and establish procedures and roles for both the Florida Department of Education (Department) and Commissioner of Education. State Board Rule 6A-6.03315, F.A.C., codifies program-related definitions and compliance requirements.

This report will focus on compliance initiatives taken by the Department to ensure private school accountability in scholarship programs during the 2020-2021 school year. As such, the data contained herein encompasses July 1, 2020 through June 30, 2021.

This report is divided into three parts:

- Part I presents an overview of the Department's private school scholarship compliance process, including both new and renewing participants. State Board Rule 6A-6.03315, F.A.C., specifies deadlines pertinent to this process. This section will also detail the Department's efforts to ensure these schools maintain compliance with these requirements.
- Part II discusses the Department's efforts in implementing accountability measures, such as the fingerprinting requirement for private school staff and contracted personnel, the norm-referenced testing of applicable scholarship students, and the complaint and inquiry process. A summary of the Department's established communication measures and outreach activities is also provided.
- Part III reviews legislative changes, including new or amended State Board of Education rules.

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Part I

Scholarship Program Compliance

New Schools

State Board Rule 6A-6.03315, F.A.C., defines a new school as a private school that did not have scholarship students during the current or previous school year. Beginning with the 2019-2020 school year, a new school must submit a signed and notarized Scholarship Compliance Form no later than October 1, and all outstanding compliance issues, including the submission of required documentation, are to be resolved by December 1. Furthermore, a new school is not eligible to receive scholarship payments until a satisfactory site visit has been conducted.

Supporting documentation includes documentation from the Florida Division of Corporations establishing ownership of the school, documentation demonstrating the school has a satisfactory Radon inspection (if applicable), school policies establishing standards of ethical conduct for instructional personnel and school administrators, a surety bond or letter of credit if required by Section 1002.421(1)(f)1., F.S., and a copy of state and national criminal history check results for each owner or operator of the school as defined by Section 1002.421(1)(p), F.S.

A school that fails to meet either of these deadlines may not participate in the scholarship program until the subsequent year.

A total of 105 new private schools began participating in scholarship programs for the 2020-2021 school year.

Compliance Renewal Process

Section 1002.421(2)(a)4., F.S., states that the Department shall require and retain an annual, notarized, sworn compliance statement from participating private schools certifying compliance with applicable state laws. Additionally, participating private schools are required by Section 1002.421(1)(e), F.S., to annually complete and submit to the Department a notarized scholarship compliance statement certifying that all school employees and contracted personnel with direct student contact have undergone background screenings pursuant to Section 943.0542, F.S., and have met the screening standards as provided in Section 435.04, F.S.

Renewing schools, as defined in State Board Rule 6A-6.03315, F.A.C., are required to complete and submit a notarized Annual Survey, a Scholarship Compliance Form, and satisfactory health and fire inspections. Every third consecutive year of scholarship participation, a renewing private school must also submit documentation from the Florida Division of Corporations establishing ownership of the school, documentation demonstrating the school has a satisfactory radon inspection (if applicable), school policies establishing standards of ethical conduct for instructional personnel and school administrators, a surety bond or letter of credit if required by Section 1002.421(1)(f)1., F.S., and a copy of state and national criminal history check results for each owner or operator of the school as defined by Section 1002.421(1)(p), F.S.

Private schools began submitting renewal documentation in order to establish eligibility for the 2021-2022 school year in November 2020.

Renewal Deadlines

State Board Rule 6A-6.03315, F.A.C., requires renewing private schools to postmark and mail the Scholarship Compliance Form by March 1 of each year in order to be eligible to participate in scholarship programs for the subsequent school year. Following timely submission of the Scholarship Compliance Form, the participating private school must resolve any outstanding compliance issues, including the submission of supporting compliance documentation on or before May 1 in order to remain eligible to participate.

Notifications

In November 2020, the Department notified participating private schools of the availability of the 2021 Scholarship Compliance Form. Additionally, the Department reminded participating private schools of the 2021-2022 scholarship compliance renewal process for that school year through various means, including a letter and checklist of the documentation needed to renew, regular posting of information on the Office of Independent Education and Parental Choice website, regular email notifications, and ongoing communication through the customer service call center and regional managers.

Private School Eligibility

Renewing private schools that fail to meet the May 1 compliance deadline established in State Board Rule 6A-6.03315, F.A.C., are issued a Notice of Proposed Action denying the school's eligibility to participate for the upcoming school year. The Notice of Proposed Action is issued in the form of an Administrative Complaint executed by the Commissioner of Education.

A total of 2,184 schools requested compliance renewal for the 2021-2022 school year. Of the 2,184 schools, 2,101 schools timely submitted the required documentation in order to meet compliance requirements and were able to renew their participation in scholarship programs. The Department worked with the remaining 83

schools on establishing and maintaining eligibility. Of the 83 remaining schools, two schools were denied eligibility to participate for the 2021-2022 school year for failure to meet the compliance renewal deadlines.

Private School Site Visits

Section 1002.421(2)(a)6., F.S., states the Department shall conduct site visits to private schools entering a state scholarship program for the first time. As previously mentioned, a private school will not be eligible to receive scholarship payments until a satisfactory site visit has been conducted and the school is found to be in compliance with all other requirements of s. 1002.421(1), F.S. The sole purpose of a site visit is to verify the information reported by the school concerning facility and safety documents, the enrollment and attendance of students, teacher credentials, background screenings, and fingerprint results of teachers and administrators. Additionally, Section 1002.421(2)(b), F.S., authorizes the Department to conduct site visits to any private school participating in a scholarship program that has received a Notice of Noncompliance or a Notice of Proposed Action within the previous two years, or received a complaint about a violation of state law or State Board Rule pursuant to Section 1002.421(2)(a)3., F.S.

The Department began conducting site visits for the 2021-2022 school year in November 2020. One hundred and thirty-six private schools were formally notified of the site visit via postal mail and email. Each site visit was conducted by one to three staff members from the Office of Independent Education and Parental Choice with the aid of the Site Visit Procedure Manual. The Site Visit Procedure Manual identifies procedures to be followed by Department staff conducting the site visits and includes statutory references for each private school requirement, background information, and copies of supporting compliance documentation submitted by the selected private schools.

Department staff were guided in their site visits by the following questions:

- In accordance with ss. 1002.42(4) and 1003.23(2), F.S., does the school have appropriate documentation regarding the enrollment and attendance of students?
- In accordance with s. 1003.23(2), F.S., does the school maintain an enrollment register which shows the absence or attendance of each student enrolled for each school day of the year in a manner prescribed by the State Board of Education?
- In accordance with s. 1002.42(2)(c), F.S., does the school possess FDLE VECHS Level 2 clearances for all employees and contracted persons?
- In accordance with s. 1002.421(1)(h), F.S., does the school have evidence that it employs or contracts with teachers who hold baccalaureate degrees or higher; have at least three years of teaching in public or private schools; or have special skills, knowledge or expertise that qualifies them to provide instruction in the subjects taught as mandated?

Of the 136 private schools visited, 105 were found to be fully compliant during the visit. Twenty schools resolved compliance issues before an official Site Visit Report outlining deficiencies was sent. Ten of the remaining noncompliant schools were issued a Site Visit Report detailing issues to resolve. Of these ten, nine schools timely resolved their compliance issues and were determined to be compliant. The remaining school was issued a Notice of Noncompliance and eventually resolved outstanding compliance issues. To date, only one school is still pending final approval.

Ongoing Compliance Monitoring

In addition to processing compliance renewals each spring along with new school applications as they are submitted, the Office of Independent Education and Parental Choice monitors private schools for adherence to scholarship program compliance requirements throughout the school year, as provided for in statute.

Sections 1002.39(7), 1002.395(8), 1002.394(8), 1002.385(8), 1002.40(7), and 1002.421, F.S., establish that the inability of a private school to meet the requirements of these sections shall constitute a basis for revoking the eligibility of the private school to participate in scholarship programs. The types of violations related to these sections and actions taken by the Department are described in the following sub-sections.

Maintaining a Physical Location

Section 1002.421(1)(i), F.S., requires private schools that participate in a state scholarship program to maintain a physical location in Florida where scholarship students have regular and direct contact with the private school's teachers. In addition, participating schools must meet applicable state and local health, safety, and welfare laws, codes, and rules per s. 1002.421(1)(g), F.S. If the physical location cannot meet the health and safety requirements applicable to all participating private schools, the private school cannot provide services to scholarship students at that specific location.

During the 2020-2021 school year, the Commissioner of Education issued Administrative Complaints immediately suspending the eligibility of one private school for failure to maintain an approved physical location. The reasons for suspension included failure to provide sufficient health or fire inspection documentation and failure to update documentation after a change in location. The school in question was removed from participation in scholarship programs.

Demonstrating Fiscal Soundness

Section 1002.421(1)(f)1., F.S., requires a participating private schools in operation for less than three years to demonstrate fiscal soundness by obtaining a surety bond or letter of credit for the amount equal to the scholarship funds for any quarter. There were 33 private schools with fiscal soundness documentation less than the amount of scholarship funds the school received for any one quarter during the 2020-2021 school year, resulting in 33 Notices of Noncompliance. Thirty-three schools obtained a new surety bond or letter of credit for the appropriate amount and were able to continue uninterrupted participation in the scholarship programs. No schools were suspended for failure to maintain fiscal soundness documentation.

Failure to Return Funds

In accordance with State Board Rules 6A-6.0970 and 6A-6.0952, F.A.C., related to the McKay and Family Empowerment Scholarship Programs, private schools are responsible for the return of all scholarship funds received in error. Failure to return the funds to the Department or to provide a sufficient explanation detailing why the funds were properly retained 30 days after notification from the Department results in the initiation of noncompliance procedures. During the 2020-2021 school year, the Commissioner issued 111 Notices of Noncompliance for failure to return McKay scholarship funds received in error and 353 Notices of Noncompliance for failure to return Family Empowerment scholarship funds received in error. Nine private schools were suspended due to failure to return McKay scholarship funds.

Fraudulent Activity

Section 1002.421(3)(d)3., F.S., provides that the Commissioner of Education may immediately suspend payment of scholarship funds if it is determined that there is probable cause to believe that there is fraudulent activity on the part of the private school.

During the 2020-2021 school year, the Commissioner of Education issued three Administrative Complaints immediately suspending the eligibility based upon probable cause of fraudulent activity. At the time this report was filed, three schools were suspended or removed from participation in scholarship programs.

Agreed-Upon Procedures

Pursuant to Section 1002.421(1)(q), F.S., private schools that receive \$250,000 or more in Family Empowerment, Florida Tax Credit, Gardiner, Hope and McKay Scholarship funds during the state fiscal year are required to submit a report from an independent certified public accountant. This accountability report focuses on the use of the scholarship money and the financial procedures the school has in place.

The private school must submit the report by September 15 to the scholarship funding organization, Step Up for Students or AAA Scholarship Foundation, which awarded the majority of the school's scholarship funds. A school that received more than \$250,000 in scholarship funds only through the McKay Scholarship must submit the annual report to the Department of Education.

During the 2020-2021 school year, there were 1,289 participating private schools required to submit the report to Step Up for Students, four private schools required to submit the report to AAA Scholarship Foundation and 19 private schools required to submit the report to the Department.

Of the 1,289 reports, Step Up for Students reported that 796 submitted a report with no material exceptions; 282 submitted a report with material exceptions, 221 of which were with previous year material exceptions and were directed to create a corrective action plan; and 32 schools submitted incomplete reports. A total of 84 schools did not file any report.

At the time of the filing of this report, both the Department and Step Up for Students were working with the remaining 84 schools to ensure their continued compliance with this requirement.

Of the four reports submitted to AAA Scholarship Foundation, three submitted a report with no material exceptions and one submitted a report with material exceptions, all of which were with previous year material exceptions and were directed to create a corrective action plan.

Of the 19 reports to be submitted to the Department, only 17 have been received. The Department continues to work with the remaining schools to ensure their continued compliance with this requirement.

Part II

Additional Accountability Measures

Private School Employee Fingerprinting

Section 1002.421(1)(m), F.S., requires each employee and contracted personnel with direct student contact to undergo a state and national background screening, pursuant to Section 943.0542, F.S., by electronically filing with the Florida Department of Law Enforcement (FDLE) a complete set of fingerprints taken by an authorized law enforcement agency or an employee of the private school, a school district, or a private company trained in fingerprint collection. The school must deny employment or terminate an employee who fails to meet the screening standards under Section 435.04, F.S.

Fingerprints must be submitted electronically via a live scan device and must be retained by FDLE. The retained fingerprints are searched against all incoming arrest fingerprint submissions in the Applicant Fingerprint Retention and Notification Program. Any matches are reported directly to the private school. Private schools certify compliance with the employee and contracted personnel fingerprint requirement when they submit the signed and notarized Scholarship Compliance Form. The form reads:

Have all employees and contracted personnel with direct student contact submitted their fingerprints to the Florida Department of Law Enforcement for a state and national background screening in accordance with s. 1002.421(1)(m), F.S.?

In addition, pursuant to s. 1002.421(1)(e), F.S., the Scholarship Compliance Form includes a certified statement that reads:

By signing below, I hereby certify compliance with all relevant state laws including the requirement for all private school employees and contracted personnel with direct student contact to have undergone a background screening pursuant to s. 943.0542, F.S.

Private schools unable to answer positively or that fail to submit a signed and notarized Scholarship Compliance Form are not eligible to participate in the state scholarship programs.

The Department has continued its efforts to notify private schools about this requirement through the Scholarship Programs Newsletter and detailed instructions in the Scholarship Compliance Renewal Packet. The Department also continues to work with FDLE to direct participating private schools to register with the Volunteer and Employee Criminal History System (VECHS) Program. Private schools can submit electronic fingerprints for both their employees and contracted personnel and will directly receive both state and federal background check results. The Department requires all new participating private schools to supply their VECHS entity number prior to becoming eligible to participate. In addition, a renewing private school must continue to maintain a valid VECHS entity number in order to remain eligible to participate.

Norm-Referenced Assessment Requirements for State Scholarship Programs

Section 1002.395(8)(b), F.S., states that a private school participating in the Florida Tax Credit Scholarship Program must demonstrate academic accountability to the parent of participating students by annually administering or making provision for students participating in the scholarship program to take one of the nationally norm-referenced tests identified by the Department. A participating private school must report a student's scores to both the parent and to the independent research organization identified in statute, The Learning Systems Institute at Florida State University.

Private schools participating in the Florida Tax Credit Scholarship Program certify compliance with this academic accountability requirement when they submit the signed and notarized Scholarship Compliance Form. The form includes a question which reads:

Does the school demonstrate academic accountability pursuant to s. 1002.395(8)(b) and 1002.385(8)(b), F.S., by administering or making provisions for scholarship students to take a state assessment pursuant to s. 1008.22, F.S., or a national norm-referenced test identified by the Department of Education and reporting the student's scores to the parent and, pursuant to s. 1002.395(8)(b), F.S., the independent research organization selected in s. 1002.395(9)(f), F.S.?

Private schools that are unable to answer positively to this question are not eligible to participate in the Florida Tax Credit Scholarship Program.

Sections 1002.394(8)(c), 1002.385(8)(b), and 1002.40(7)(b), F.S., require private schools participating in the Family Empowerment, Gardiner, or Hope Scholarship Programs to also demonstrate academic accountability to the parent of participating students by annually administering or making provision for students participating in the scholarship program to take one of the nationally norm-referenced tests identified by the Department. Participating private schools are then required to report a student's scores to his or her parent.

Submission of Test Scores to Independent Research Organization

Section 1002.395(9)(f), F.S., requires the Department to contract with an independent research organization to which participating private schools must report the scores of students participating in the Florida Tax Credit Scholarship Program.

The Learning Systems Institute at Florida State University is responsible for directing the collection of test scores for the 2020-2021 school year. At the time of submission of this report, the Department is working with The Learning Systems Institute at Florida State University to submit the final test score numbers.

Identification of Approved Tests

Section 1002.395(9)(e), F.S., requires the Department to maintain a list of nationally norm-referenced tests that meet testing requirements. The Office of Independent Education and Parental Choice collaborated with the Office of Assessment during the 2020-2021 school year to identify assessments that met the criteria listed below as well as remove those that did not.

1. Norming studies that show dates of the studies, definition of the populations sampled, the procedure used to draw the samples, sample sizes, participation rates, and any weighting or smoothing procedure used to make the sample data better represent the population. Norming studies must have been conducted within the last 10 years, with 5 years being preferable.
2. Internal consistency/reliability must be reported for content sub-domains (e.g., mathematics, reading) at a minimum of 0.80, and that reliability data be reported for each grade level.
3. For any open-ended, constructed-response items, rater agreement information (e.g., exact rater agreement rates, intra-class correlations, or kappa coefficients) should be reported.
4. The standard error of measurement and conditional standard error of measurement (at various test score levels) should also be reported.
5. The test developer must include a clear description of the construct to be measured, the purpose of the test, intended interpretation of the scores/other test results, and intended test-taking population.
6. Documentation must include conceptual, empirical, and theoretical evidence that the test meets its intended purposes and supports the intended interpretations of test results for the intended populations.
7. Documentation must include evidence that each test is aligned with rigorous content standards and serves as an adequate measure of K-12 student achievement in core academic areas.

Looking ahead, the following norm-referenced assessments were approved by the Department for use during the 2021-2022 school year.

1. ACT Aspire
2. Basic Achievement Skills Inventory-Comprehensive Version
3. Comprehensive Testing Program 5 (CTP 5)
4. Comprehensive Testing Program Online
5. Curriculum Associates – i-Ready Assessments (approved for grades 3-12 only)
6. Educational Development Series (EDSERIES), Forms J and K
7. Iowa Assessments-Core Battery, Forms E, F, and G.
8. Iowa Tests of Basic Skills (ITBS)-Core Battery, Forms A and B
9. Iowa Tests of Basic Skills (ITBS)-Core Battery, Form C
10. Iowa Tests of Basic Skills (ITBS)-Complete Battery, Form C
11. Iowa Tests of Educational Development® (ITED®), Form C
12. Kaufman Test of Educational Achievement Third Edition, Comprehensive Form (KTEA-III)
13. NWEA Measures of Academic Progress (MAP)
14. Pivot INSPECT Summative Assessment
15. PSAT/NMSQT®
16. Scantron Performance Series
17. Stanford Achievement Test, Tenth Edition (Stanford 10) – [Must use 2018 updated norms]
18. STAR (Math Enterprise, Reading Enterprise)
19. TerraNova, Third Edition (TerraNova 3)
20. Wide Range Achievement Test, Fourth Edition (WRAT4)

Complaint and Inquiry Summary

Section 1002.421(2)(a)3., F.S., requires the Department to establish a process by which individuals may notify the Department of any violation of state laws relating to program participation by a parent, private school, or school district. To comply with this section, the Office of Independent Education and Parental Choice assigned two full-time positions to fulfill the duties of a complaint specialist. The complaint specialists are responsible for receiving the initial complaints via email or telephone through the toll-free information hotline and assisting the complainant in completing and submitting the formal complaint form.

When a signed formal complaint form is received, it is reviewed by the Department for legal sufficiency. A complaint is legally sufficient if it contains ultimate facts that show that a violation of applicable law or rule may have occurred. Formal complaints found legally sufficient either have an inquiry opened or the complaint is referred to the appropriate organization for investigation.

The Department’s complaint and inquiry process is codified in State Board Rule 6A-6.03315, F.A.C., and tracked through an administrative function on the School Choice website. Below is the complaint and inquiry summary for the 2020-2021 school year.

<u>Action</u>	<u>Total</u>
Legally Sufficient – Inquiry	70
<u>Not Legally Sufficient</u>	<u>16</u>
Total Signed Complaint Forms Received	86

A total of 86 written formal complaints were submitted to the Department from 2020-2021. Sixteen of the total written formal complaints were found to be not legally sufficient. Sixty-nine of the 70 legally sufficient inquiries have been resolved either by the subject demonstrating compliance with program requirements or by the Department requiring the school to take corrective action. At the time this report was filed, one inquiry remains open. None of these inquiries were referred to the Office of the Inspector General.

State Board Rule 6A-6.03315, F.A.C., related to Private School Scholarship Compliance, also provides the Department with the option of performing a site audit/inspection to obtain more information related to an inquiry.

Communications

The Department works to ensure that relevant communications related to scholarship program requirements and student eligibility reach participating private schools and parents of scholarship students in a timely and efficient manner. The circulation of information related to program requirements is an integral aspect of the Department's accountability measures. Private schools and parents of scholarship students are notified of compliance deadlines, participation requirements, and program deadlines by phone, email, and postal mail. The established methods of communication used by the Department are outlined in the following sub-sections.

Toll-Free Hotline

As required by Section 1002.421(2)(a)2., F.S., the Office of Independent Education and Parental Choice operates a toll-free hotline with five part-time staff, including three customer service representatives fluent in Spanish. Customer service representatives are available to answer incoming questions and concerns and refer callers to the appropriate staff if necessary. During the 2020-2021 school year, the Customer Service Center received 18,577 live phone calls, 11,661 voicemails, and 12,509 emails. In addition to receiving calls, customer service representatives also make proactive calls to participating private schools reminding them of approaching compliance deadlines.

The Department has also used an automated call tree on the toll-free hotline since September 2008. The call tree is updated periodically so that callers are able to select English or Spanish prompts and receive recorded answers to commonly asked questions. For example, parents may choose to hear information on how to apply for a McKay Scholarship or Family Empowerment Scholarship, how to check the status of an application, or information regarding program deadlines. Private schools may also call regarding instructions for applying to participate in a scholarship program or for information on program deadlines. All callers may select to speak to a representative or leave a message at any time.

Regional Managers

The Office of Independent Education and Parental Choice employs seven regional managers based in Tallahassee to maintain scholarship program files for the participating private schools in their assigned area of the state. This includes the annual, notarized, sworn compliance statement certifying compliance with state laws required by the Department as outlined in Section 1002.421(1)(e), F.S.

During the 2020-2021 school year the seven regional managers collectively handled, 9,497 live phone calls and 5,068 voicemails. Regional managers also responded to 87,483 emails from private schools, parents, and school districts.

School Choice Website

The School Choice website (www.floridaschoolchoice.org) provides detailed information about the scholarship programs and participation requirements for both private schools and parents.

Private schools are able to log in as administrators and view their compliance status and the date their Scholarship Compliance Form and Private School Annual Survey were received by the Department. In addition, messages are posted as deadlines approach, links to relative statutes and scholarship technical assistance and compliance tutorial videos are available on the private schools' homepage within the School Choice website.

Parents that choose the private school McKay Scholarship option by enrolling their student in a participating private school are also able to securely login to the website and view information such as their student's fee schedule and scholarship amount. Parents may also view a payment checklist and update their contact information if needed. The parent webpage educates parents about the McKay Scholarship Program and encourages them to be involved in their student's education and the school choice option they have selected.

Intent Confirmation Letters

In addition to providing information through the School Choice website, the Department sends every parent an Intent Confirmation Notification after the parent files intent for the McKay Scholarship Program. The notification offers much of the same information provided on the website including the parent's intent confirmation number, instructions for checking the status of a student's intent, and information on the available options for eligible McKay Scholarship students, including a selection of participating private schools and contact information for the public school district in order to request public school transfer options.

Parents were able to file intent for the 2021-2022 school year beginning February 1, 2021. Since this date, an average of 2,393 McKay Student Intent forms were filed each month. Intent Confirmation Notifications were sent to parents each week.

Newsletters

Five School Choice Scholarship Program newsletters were emailed to scholarship-approved private schools during the 2020-2021 school year. Each Scholarship Program Newsletter contains reminders of upcoming events and deadlines, articles about Department procedures related to scholarship program participation and compliance, helpful hints for successful demonstration of compliance, notices of new requirements, detailed NRT information, Department contact information, and a chart of McKay Scholarship Program deadlines. Newsletters were emailed in November 2020, December 2020, January 2021, February 2021 and April 2021. These newsletters are also posted and archived on the scholarship program website in PDF format.

Four Scholarship Program Parent Newsletters were also distributed to parents that either applied for, or were currently participating in, the McKay Scholarship Program. In summer and fall of 2020, parents of students currently enrolled in, the McKay Scholarship received information on how to keep their information up to date with the IEPC office, parent responsibilities, changes to the scholarship program, and eligibility and re-enrollment procedures. In spring and summer of 2021, parents of new McKay Scholarship students received information regarding program deadlines, affidavit requirements, payment information, and tips for parents new to the program. All four newsletters were distributed via email.

Web Tutorial Videos

The Department has created Compliance Tutorial Videos (CTV) on a variety of topics to detail specific private school compliance requirements. These videos replaced the published technical assistance papers previously posted on the School Choice website. The CTVs are posted on the School Choice website and can be accessed by private schools using their secure login. There are currently 16 CTVs available on the following topics: criminal background screenings, school staff and teachers, employment history checks, fiscal soundness, instructor qualifications, the scholarship compliance form, school facilities, site visits, standards of ethical conduct, student enrollment and withdrawal assistance, payment issues, and other student issues. In addition to the CTVs, links to other compliance resources, commonly asked questions, and technical assistance videos are located on the private schools homepage within the School Choice website.

Outreach Activities

In the past year, the Office of Independent Education and Parental Choice was invited to participate in several outreach activities hosted by external organizations that involved parents, private schools, districts, and stakeholders affected by the state scholarship programs. Each outreach activity provides an opportunity for representatives to distribute information about scholarship programs and participation requirements. These outreach activities give Department staff a presence in the community and improve accountability through the increased availability of information. When parents are informed about scholarship program requirements, they are better able to hold private schools accountable. Furthermore, the more exposure private schools have to the scholarship program requirements, the more familiar they will become with program procedures and statutory deadlines. A brief summary of events attended by Department staff is listed in the following sub-sections.

ExcelinEd

The Office of Independent Education and Parental Choice participated in the ExcelinEd, held virtually on January 21, 2021.

The Family Café

The annual Family Café Conference, an event for children and adults with disabilities and their families, was held in Orlando on June 7-9, 2021. Rashawn Williams, Scholarship Program Manager, and Raina Turner, Program Specialist, provided an update on Florida's school choice scholarship programs.

Florida Catholic Conference Superintendents' Meeting

The Florida Catholic Conference was held virtually on June 17, 2021. The School Choice office attended the meeting and provided information on the Department's COVID-19 response in regards to private schools.

Digital Learning Annual Conference (DLAC) –

Florida Association of Management Information Services (FAMIS) Conference

Annual conference for MIS staff in Florida School districts was held in Orlando June 28-30, 2021. The Office of Independent Education and Parental Choice presented on legislative updates, district reporting, scholarship programs, and FTE funding.

Office of Nonpublic Education Conference

The Office of School Choice attended the Florida Office of Nonpublic Education conference held virtually on September 23, 2020, with regard to the K-12 Scholarship Programs and the approval of new program rules.

Part III

Legislative Changes

CS/House Bill 7045 — K-12 Scholarship Programs

Effective July 1, 2021

Family Empowerment Scholarship for Educational Options – Category 1

Eligibility:

- The student is on the direct certification list or the student’s household income level does not exceed 185% Federal Poverty Level;
- The student is currently placed, or during the previous state fiscal year was placed, in foster care or in out-of-home care;
- The student’s household income level does not exceed 375% FPL or an adjusted maximum percent of the federal poverty level that is increased by 25 percentage points in the fiscal year following any fiscal year in which more than 5% of available scholarships authorized for students who received a scholarship during the prior school year but didn’t receive renewal based solely on the eligible Scholarship Funding Organizations lack of available funds after the organization fully exhausted its efforts to use funds available for Florida Tax Credit and Hope Scholarship Program awards have not been funded;
- The student is a sibling of a student who is participating in Family Empowerment Scholarship and such siblings reside in the same household; or
- The student is a dependent child of a member of the United States Armed Forces.

Priority must go to a student whose household income level does not exceed 185% FPL or who is in foster/out-of-home care.

Eligible Use of Program Funds:

- Tuition and fees at an eligible private school; or
- Transportation to a Florida public school that is different from the school the student was assigned or to a lab school if the student is determined eligible.

Scholarship Funding & Payment

The scholarship amount provided to a student for any single school year shall be for tuition and fees for an eligible private school. The calculated amount shall be based upon the grade level and school district in which the student was assigned as 100% of the funds per unweighted FTE in the FEFPP for a student in the basic program plus a per FTE share of funds for all categorical programs, except for the ESE Guaranteed Allocation. The amount of the scholarship shall be this calculated amount of the amount of the private school’s tuition and fees, whichever is less. The amount of any assessment fee required by the participating private school and any costs to provide a digital device, including Internet access, if necessary, to the student come from the total amount of the scholarship.

A \$750 scholarship is available if a student is:

- On the direct certification list, currently placed or during the previous state fiscal year placed in foster care/out-of-home care, or whose household income level does not exceed 185% FPL;
AND
- Enrolled in a public school different from the school to which the student was assigned or a lab school if the school district does not provide the student with transportation.

Upon notification from the organization on July 1, September 1, December 1, and February 1 that an application has been approved, the Department shall verify that the student is not prohibited from receiving a scholarship. Upon verification, the Department shall transfer the scholarship for quarterly disbursement to parents of participating students each school year.

Family Empowerment Scholarship for Students with Unique Abilities – Category 2

Eligibility:

- The student is a resident of this state;
- The student is 3 or 4 on or before September 1 of the year in which the student applies for participation, or is eligible to enroll in K-12 in this state;
- The student has a qualifying disability; and
- The student:
 - Is subject of an IEP written in accordance with SBE rules or with the rules of another state; or
 - Has received a diagnosis of a disability from a licensed Florida physician or psychologist, or a physician who holds an active license issued by another state or territory of the U.S., D.C. or the Commonwealth of Puerto Rico.

Eligible Use of Program Funds

- Instructional materials; curriculum; specialized services by approved providers or by a hospital selected by the parent; tuition or fees associated with full-time or part-time enrollment in a home education program, eligible private school, eligible postsecondary educational institution, or a program offered by the postsecondary educational institution, private tutoring program, virtual program offered by a Department-approved private online provider, Florida Virtual School as a private paying student, or an approved online course; fees for nationally standardized, norm-referenced achievement tests, Advanced Placement examinations, industry certification examinations, assessments related to postsecondary education, or other assessments; contributions to the Stanley G. Tate Florida Prepaid College Program or the Florida College Savings Program; contracted services provided by a public school or school district, including classes; tuition and fees for part-time tutoring services provided by a person who holds a valid Florida educator's certificate, a person who holds an adjunct teaching certificate, a person who has a bachelor's degree or a graduate degree in the subject area in which instruction is given, a person who has demonstrated a mastery of subject area knowledge, or a person certified by a nationally or internationally recognized research-based training program as approved by the department; and fees for specialized summer education

programs; fees for specialized after-school education programs; transition services provided by job coaches; fees for an annual evaluation of educational progress by a state-certified teacher if this option is chosen for a home education student; tuition and fees associated with programs offered by VPK Education Program providers and school readiness providers; fees for services provided at a center that is for services provided by a therapist who is certified by the Certification Board for Music Therapists or credentialed by the Art Therapy Credentials Board, Inc.

Scholarship Funding & Payment

Scholarships for Students with Unique Abilities are established for up to 20,000 students annually beginning in the 2021-2022 school year. Beginning in the 2022-2023 school year, the maximum number of student participation in the scholarship program shall annually increase by 1.0 percent of the state's total ESE FTE student enrollment, not including gifted students. Certain students are excluded from this maximum number of students.

For a student who has a Level I to Level III matrix of services or a diagnosis by a physician or psychologist, the calculated scholarship amount must be based upon the grade level and school district in which the student would have been enrolled as the total funds per unweighted FTE in the FEFP for a student in the basic ESE program, plus a per FTE share of funds for all categorical programs, as funded in the GAA, except that for the ESE guaranteed allocation, the funds must be allocated based on the school district's average ESE guaranteed allocation funds per ESE FTE student.

For a student with a Level IV or Level V matrix of services, the calculated scholarship amount must be based upon the school district to which the student would have been assigned as the total funds per FTE for the Level IV or Level V ESE program, plus a per-FTE share of funds for all categorical programs, as funded in the GAA.

For a student who received a Gardiner Scholarship in the 2020-2021 school year, the amount shall be the greater of the amount calculated or the amount the student received for the 2020-2021 school year.

For a student who received a John M. McKay Scholarship in the 2020-2021 school year, the amount shall be the greater of the amount calculated or the amount the student received for the 2020-2021 school year.

Gardiner Scholarship

Section 1002.385, F.S., is repealed, effected July 1, 2021. All current Gardiner Scholarship students will transfer to new Family Empowerment Program in the Unique Abilities Category.

McKay Scholarship

For the 2021-2022 school year, McKay Scholarships will increase to the full amount provided for the student, from the current 95% of the calculated amount. Section 1002.39, F.S., will be repealed, effective July 1, 2022, and all McKay students will transfer to new FES for Students with Unique Abilities – Category 2.

Florida Tax Credit Scholarship

The bill aligns the FTC Program student eligibility's household income level requirements to the FES for Educational Options – Category 1 and increases the scholarship amount to the full amount provided for the student, from the current 95% of the calculated amount.

Hope Scholarship

The bill increases the scholarship amount to the full amount provided for the student, from the current 95% of the calculated amount.