

SCHOOL CHOICE MATTERS

# Florida Policy Report

# Introduction

## PURPOSE

A combination of well-designed policies give all students access to the broadest range of educational opportunities, including key core policies and helpful policy enhancers. The purpose of this document is to provide insight to how well your state is doing at implementing the Ecosystem of School Choice Policies. This state report summarizes evidence across the seven policy buckets, with each policy component detailed in individual cells.

## CORE POLICIES

Key policies expand student opportunities.



[Open Enrollment](#)



[Charter Schools](#)



[Private School Choice](#)



[Homeschooling](#)

## POLICY ENHANCERS

Supporting policies enhance those opportunities.



[Part-time Enrollment/Course Access](#)



[Learn Everywhere](#)



[Transportation](#)

CORE POLICIES



## Open Enrollment in Florida

POLICY	RATING	POLICY OVERVIEW
<p>Transfers Between Districts</p>	<p><b>YES</b></p> <p>Mandatory policy requiring districts to accept all students where capacity exists</p>	<p>Statute requires “controlled open enrollment” which is defined as a public education delivery system that allows school districts to make student school assignments using parents’ indicated preferential educational choice as a significant factor.</p> <p><a href="#">(F.S. 1002.31(1) Controlled open enrollment; public school parental choice)</a></p> <p>Statute requires each district school board or charter school, pursuant to a controlled open enrollment process, to allow a parent from any school district in the state whose child is not subject to a current expulsion or suspension to enroll his or her child in and transport his or her child to any public school, including charter schools, that has not reached capacity in the district, subject to the maximum class size.</p> <p><a href="#">(F.S. 1002.31(2)(a) Controlled open enrollment; public school parental choice)</a></p> <p>Statute requires capacity determinations be made by grade level, updated every 12 weeks, and identified on the school district or charter school’s website.</p> <p><a href="#">(F.S. 1002.31(2)(b) Controlled open enrollment; public school parental choice)</a></p> <ul style="list-style-type: none"> <li>• This section is silent regarding State Board of Education rulemaking.</li> </ul>
<p>Transfers Within Districts</p>	<p><b>YES</b></p> <p>Mandatory policy allowing students to transfer schools</p>	<p>Statute requires each district school board or charter school to allow a parent from any school district in the state whose child is not subject to a current expulsion or suspension to enroll his or her child in and transport his or her child to any public school, including charter schools, that has not reached capacity in the district, subject to the maximum class size.</p> <p><a href="#">(F.S. 1002.31(2)(a) Controlled open enrollment; public school parental choice)</a></p>

		<p>Statute requires capacity determinations be made by grade level, updated every 12 weeks, and identified on the school district or charter school’s website.</p> <p><a href="#">(F.S. 1002.31(2)(b) Controlled open enrollment; public school parental choice)</a></p> <ul style="list-style-type: none"> <li>This section is silent regarding State Board of Education rulemaking.</li> </ul>
Year-round Transfer Window	<p><b>YES</b></p> <p>Year-round transfer window and once-in always-in provision</p>	<p>Statute requires that each district school board adopt by rule and post on its website the process required to participate in controlled open enrollment. Any process adopted must, among other things: require school districts to accept students throughout the school year as capacity becomes available; maintain a wait list of students who are denied access due to capacity and notify parents when space becomes available.</p> <p><a href="#">(F.S. 1002.31(3) Controlled open enrollment; public school parental choice)</a></p> <ul style="list-style-type: none"> <li>This section is silent regarding State Board of Education rulemaking.</li> </ul>
Tuition-Free Public Schools	<p><b>YES</b></p> <p>Prohibition on parent tuition</p>	<p>Statute does not address prohibitions relating to charging tuition for interdistrict student transfers.</p>
School Capacity Transparency	<p><b>YES</b></p> <p>Districts must report capacity by school and grade level</p>	<p>Statute requires capacity determinations be made by grade level, updated every 12 weeks, and identified on the school district or charter school’s website.</p> <p>Statute requires that each district school board adopt by rule and post on its website the process required to participate in controlled open enrollment. Any process adopted must, among other things: identify schools that have not reached capacity, as determined by the school district; require school districts to maintain a wait list of students who are denied access due to capacity and notify parents when space becomes available.</p> <p><a href="#">(F.S. 1002.31(2)(b) Controlled open enrollment; public school parental choice)</a></p> <ul style="list-style-type: none"> <li>This section is silent regarding State Board of Education rulemaking.</li> </ul>
Transfer Data Transparency	<p><b>LIMITED</b></p> <p>Information only collected and/or some data not reported</p>	<p>Statute requires each district school board to annually report the number of students exercising public school choice, by type, in accordance with rules adopted by the State Board of Education.</p> <p><a href="#">(F.S. 1002.31(4) Controlled open enrollment; public school parental choice)</a></p> <ul style="list-style-type: none"> <li>This section is silent regarding State Board of Education rulemaking.</li> </ul>

<p><b>Transparent Appeal Process</b></p>	<p><b>YES</b></p>	<p>Statute requires that each district school board adopt by rule and post on its website the process required to participate in controlled open enrollment. Any process adopted must, among other things, provide a lottery procedure to determine student assignment and establish an appeals process for hardship cases.</p> <p><a href="#">(F.S. 1002.31(3)(c) Controlled open enrollment; public school parental choice)</a></p> <ul style="list-style-type: none"> <li>• This section is silent regarding State Board of Education rulemaking.</li> </ul>
<p><b>SOURCE CITATIONS</b></p>		
<p><b>Statutes</b></p> <p><a href="#">F.S. 1002.31 Controlled open enrollment; public school parental choice</a></p>	<p><b>Non-State Resources / Internal and External</b></p> <p><a href="#">ECS Open Enrollment</a></p>	



## Charter Schools in Florida

POLICY	RATING	POLICY OVERVIEW
<p>Multiple Charter Authorizers</p>	<p><b>YES</b></p> <p>Multiple authorizers</p>	<p>Statute establishes that the following may serve as “sponsoring entities”:</p> <ul style="list-style-type: none"> <li>• A district school board may sponsor a charter school in the county over which the district school board has jurisdiction.</li> <li>• A state university may grant a charter to a lab school (which is considered a “charter lab school”)</li> <li>• A state university may, upon approval by the Department of Education, solicit applications and sponsor a charter school to meet regional education or workforce demands by serving students from multiple school districts.</li> <li>• A Florida College System institution may, upon approval by the Department of Education, solicit applications and sponsor a charter school in any county within its service area to meet workforce demands and may offer postsecondary programs leading to industry certifications to eligible charter school students.</li> <li>• The Charter School Review Commission may solicit and review applications for charter schools overseen by district school boards. Upon approval of such an application by the commission, the district school board that oversees the school district in which the charter school will be located shall serve as sponsor.</li> </ul> <p><a href="#">(F.S. 1002.33(5)(a) Sponsor; Duties)</a></p> <ul style="list-style-type: none"> <li>• Florida Statutes 1002.33 requires the Department of Education, after consultation with sponsors and charter school directors, to recommend that the State Board of Education adopt rules to implement specific subsections of this section.</li> <li>• Florida Statutes 1002.33 also requires the State Board of Education to adopt rules to implement a standard charter application form, standard application form for the replication of charter schools in a high-performing charter school system, standard evaluation instrument, standard monitoring tool, and standard charter and charter renewal contracts in accordance with this section.</li> </ul>

## Charter Appeal Process

**YES**

Independent appeals process

Florida statute provides an appeals process in which a rejected applicant can appeal to a charter school appeal commission, which makes a recommendation to the state board of education. The law provides that the state board of education can vote to require an authorizer to accept an application. The law requires any appeals involving proposals to replicate a high performing charter school be made directly to the state board of education and requires the authorizer to provide clear and convincing evidence that the application does not meet the requirements specified in law.

[\(F.S. 1002.33 Charter schools\)](#)

Statute establishes requirements for a sponsor’s review of charter school applications and an applicant’s options for appealing a decision to deny an application. These include:

- A sponsor is to review all applications using a state department of education evaluation instrument.
- If an application is denied, the sponsor shall, within 10 calendar days after such denial, articulate in writing the specific reasons for denial and provide a letter of denial and supporting documentation to the applicant and to the state department of education.

An applicant may appeal any denial of or failure to act on an application to the State Board of Education no later than 30 calendar days after receipt of the sponsor’s decision or failure to act and shall notify the sponsor of its appeal. Upon receipt, the Commissioner of Education shall convene a meeting of the Charter School Appeal Commission to study and make recommendations to the State Board of Education regarding its pending decision about the appeal. The State Board of Education must accept or reject the sponsor’s decision no later than 90 calendar days after an appeal is filed in accordance with State Board of Education rule. The State Board of Education must remand the application to the sponsor with its written decision that the sponsor either approve or deny the application.

[\(F.S. 1002.33\(5\)\(a\) Sponsor; Duties\)](#)

Statute establishes a Charter School Appeal commission to assist the Commissioner of Education and the State Board of Education with “a fair and impartial review of appeals by applicants whose charter applications have been denied, whose charter contracts have not been renewed, or whose charter contracts have been terminated by their sponsors.”

[\(F.S. 1002.33\(6\)\(e\) Application Process and Review\)](#)

- Florida Statutes 1002.33 requires the Department of Education, after consultation with sponsors and charter school directors, to recommend that the State Board of Education adopt rules to implement specific subsections of this section.
- Florida Statutes 1002.33 also requires the State Board of Education to adopt rules to implement a standard charter application form, standard application form for the replication of charter schools in a

		<p>high-performing charter school system, standard evaluation instrument, standard monitoring tool, and standard charter and charter renewal contracts in accordance with this section.</p> <p>State Board of Education Administrative Rule establishes procedures for appealing a district school board decision to deny an application for a charter school.</p> <p><a href="#">(Rule 6A-6.0781 Procedures for Appealing a District School Board Decision Denying Application for Charter School)</a></p>
<p><b>Charter Regulatory Flexibility</b></p>	<p><b>LIMITED</b></p> <p>Some or no exemptions</p>	<p>Statute provides charter schools exemption from “all statutes in chapters 1000-1013. (Note: this is the entirety of <a href="#">TITLE XLVIII</a> (Early Learning-20 Education Code), including but not limited to provisions on educational compacts; early learning-20 governance; state-level governance; school district governance; student and parental rights and educational choices; school attendance; and educational instruction and specialized instruction for certain students.) However, a charter school is required to comply with the following:</p> <ul style="list-style-type: none"> <li>• Statutes specifically applying to charter schools</li> <li>• Statutes pertaining to the student assessment program and school grading system</li> <li>• Statutes pertaining to the provision of services to students with disabilities</li> <li>• Statutes pertaining to civil rights</li> <li>• Statutes pertaining to student health, safety, and welfare</li> <li>• Section <a href="#">286.011</a>, relating to public meetings and records, public inspection, and criminal and civil penalties</li> <li>• Chapter 119, relating to public records</li> <li>• Section <a href="#">1003.03</a>, relating to the maximum class size (with exceptions noted)</li> <li>• Section <a href="#">1012.22</a>(1)(c), relating to compensation and salary schedules</li> <li>• Section <a href="#">1012.33</a>(5), relating to workforce reductions</li> <li>• Section <a href="#">1012.335</a>, relating to contracts with instructional personnel hired on or after July 1, 2011</li> <li>• Section <a href="#">1012.34</a>, relating to the substantive requirements for performance evaluations for instructional personnel and school administrators</li> <li>• Section <a href="#">1006.12</a>, relating to safe-school officers</li> <li>• Section <a href="#">1006.07</a>(7), relating to threat management teams</li> <li>• Section <a href="#">1006.07</a>(9), relating to School Environmental Safety Incident Reporting</li> <li>• Section <a href="#">1006.07</a>(10), relating to reporting of involuntary examinations</li> <li>• Section <a href="#">1006.1493</a>, relating to the Florida Safe Schools Assessment Tool</li> <li>• Section <a href="#">1006.07</a>(6)(d), relating to adopting an active assailant response plan</li> </ul>

		<ul style="list-style-type: none"> <li>• Section <a href="#">943.082(4)(b)</a>, relating to the mobile suspicious activity reporting tool</li> <li>• Section <a href="#">1012.584</a>, relating to youth mental health awareness and assistance training</li> <li>• Section <a href="#">1001.42(4)(f)2.</a>, relating to middle school and high school start times. (Note, a charter school-in-the-workplace is exempt from this requirement)</li> </ul> <p><a href="#">(F.S. 1002.33(16) Exemption from Statutes)</a></p> <p>Statute authorizes a charter school to select its own employees.</p> <p>Statute requires the employees of a conversion charter school to remain public employees for all purposes, unless such employees choose not to do so.</p> <p>Statute authorizes teachers at a charter school to choose to be part of a professional group that subcontracts with the charter school to operate the instructional program. Such teachers are not public employees.</p> <p>Statute gives charter school employees the option to bargain collectively, either as a separate unit or as a part of the existing district collective bargaining unit.</p> <p>Statute requires a charter school to organize as, or be operated by, a nonprofit organization, which may be a municipality or other public entity. As such, the charter school may be either a private or a public employer.</p> <p><a href="#">(F.S. 1002.33(12) Employees of Charter Schools)</a></p> <ul style="list-style-type: none"> <li>• Florida Statutes 1002.33 requires the Department of Education, after consultation with sponsors and charter school directors, to recommend that the State Board of Education adopt rules to implement specific subsections of this section.</li> </ul> <p>Florida Statutes 1002.33 also requires the State Board of Education to adopt rules to implement a standard charter application form, standard application form for the replication of charter schools in a high-performing charter school system, standard evaluation instrument, standard monitoring tool, and standard charter and charter renewal contracts in accordance with this section.</p>
<p><b>Equitable Charter Funding</b></p>	<p><b>YES</b></p> <p>Students are funded as in a traditional district school</p>	<p>Statute articulates the intent of the Legislature “that charter school students be considered as important as all other students in this state and, to that end, comparable funding levels from existing and future sources should be maintained for charter school students.”</p> <p><a href="#">(F.S. 1002.33 (2)(d) Guiding Principles; Purpose; Legislative Intent)</a></p> <p>Statute establishes that students enrolled in a charter school (with the exceptions of a charter lab schools and a virtual charter school, for which there are separate funding provisions), regardless of the sponsorship, are to be funded as if they are in a basic program or a special program, the same as students enrolled in other public</p>

schools in a school district. Specifically, “[T]he basis for the agreement for funding students enrolled in a charter school shall be the sum of the school district’s operating funds from the Florida Education Finance Program as provided in s. [1011.62](#) and the General Appropriations Act, including gross state and local funds, discretionary lottery funds, and funds from the school district’s current operating discretionary millage levy; divided by total funded weighted full-time equivalent students in the school district; and multiplied by the weighted full-time equivalent students for the charter school. Charter schools whose students or programs meet the eligibility criteria in law are entitled to their proportionate share of categorical program funds included in the total funds available in the Florida Education Finance Program by the Legislature, including transportation, and the evidence-based reading allocation.”.

Statute establishes a separate formula for charter schools sponsored by a state university or Florida College System institution. Specifically, such schools are required to “be funded as if they are in a basic program or a special program in the school district. The basis for funding these students is the sum of the total operating funds from the Florida Education Finance Program for the school district in which the school is located as provided in s. [1011.62](#) and the General Appropriations Act, including gross state and local funds, discretionary lottery funds, and funds from each school district’s current operating discretionary millage levy, divided by total funded weighted full-time equivalent students in the district, and multiplied by the full-time equivalent membership of the charter school.”

[\(F.S. 1002.33\(17\)\(b\)\(1\) Funding\)](#)

Any interlocal agreement that includes a school district must require the surtax revenues allocated to the school district to be shared with eligible charter schools, as determined pursuant to s. 1013.62(1), based on the charter school's proportionate share of the total school district enrollment.

Surtax revenues must be expended by the charter school in a manner consistent with the allowable uses provided in s. 1013.62(4). All revenues and expenditures shall be accounted for in a charter school's monthly or quarterly financial statement. (F.S. 212.055(2)(c)and(d))

- The State Board of Education has promulgated the Capital Outlay Rule, which clarifies eligibility requirements for capital outlay funding by defining expanded feeder chain and the method for determining satisfactory student achievement.

[\(Rule 6A-2.0020 Eligibility for Charter School Capital Outlay\)](#)

In a national study of charter school funding (University of Arkansas, Charter School Funding: Inequity Expands, 2014), Florida charter schools were receiving on average \$7,649 per pupil in public funds, while traditional public schools would have received \$10,109 for those students. As a result, the state’s charter schools received \$2,460 per pupil – or 24.3% - less than what the traditional public schools would have received for those students. This figure includes all sources of funding, and analysis reveals some continued inequities for both operational and capital funding.

		<p><a href="#">(Alliance (NAPCS) Database)</a></p>
<p><b>Charter Facilities Funding</b></p>	<p><b>YES</b></p> <p>Charter schools have equal access to facility funding streams</p>	<p>Statute provides that charter schools are eligible for capital outlay funds pursuant to ss. <a href="#">1011.71(2)</a> and <a href="#">1013.62</a>. (F.S. 1002.33(19) Capital outlay funding for a charter school sponsored by a state university or Florida College System institution is determined pursuant to s. <a href="#">1013.62</a> and the General Appropriations Act.</p> <p><a href="#">(F.S. 1002.33(17)(b)(2.b.) Funding)</a></p> <ul style="list-style-type: none"> <li>• Florida Statutes 1002.33 requires the Department of Education, after consultation with sponsors and charter school directors, to recommend that the State Board of Education adopt rules to implement specific subsections of this section.</li> <li>• Florida Statutes 1002.33 also requires the State Board of Education to adopt rules to implement a standard charter application form, standard application form for the replication of charter schools in a high-performing charter school system, standard evaluation instrument, standard monitoring tool, and standard charter and charter renewal contracts in accordance with this section.</li> </ul> <p><b>District School Tax</b></p> <p>Statute authorizes a district’s levy (District school tax) of “a millage rate not to exceed the amount certified by the commissioner as the minimum millage rate necessary to provide the district required local effort for the current year...and “a nonvoted current operating discretionary millage.” In addition, “each school board may levy not more than 1.5 mills against the taxable value for school purposes for charter schools pursuant to s. <a href="#">1013.62(1)</a> and (3) and for district schools to fund a list of enumerated items which includes: new construction, remodeling projects, sites and site improvement or expansion to new sites, existing sites, auxiliary facilities, athletic facilities, or ancillary facilities; maintenance, renovation, and repair of existing school plants; school buses; new and replacement equipment; and more.</p> <p><a href="#">(F.S. 1011.71(2) District school tax)</a></p> <p>Statute authorizes a school district’s levy of additional millage for school operational purposes “<i>For the purpose of distributing taxes collected pursuant to this subsection, the term “school operational purposes” includes charter schools sponsored by a school district... Funds levied under this subsection shall be shared with charter schools based on each charter school’s proportionate share of the district’s total unweighted full-time equivalent student enrollment and used in a manner consistent with the purposes of the levy.</i>”</p> <p><a href="#">(F.S. 1011.71(9) District school tax)</a></p> <p><b>Charter Schools Capital Outlay Funding</b></p> <p>Statute establishes that outlay funding available to eligible charter schools consists of state funds (as appropriated pursuant to the General Appropriations Act) and revenue resulting from discretionary millage</p>

		<p>authorizations (as described about F.S. 1011.71(2)). Eligible charters are those that have been in operation for 2 or more years and meet other statutory requirements. Certain charter schools are ineligible to receive capital outlay funds, including conversion charter schools operating in a facility provided by the sponsor for a nominal fee or at no charge; conversion charters operated directly or indirectly by the school district; a developmental research (laboratory) school that receives state funding for capital improvement purposes pursuant to s. <a href="#">1002.32(9)(e)</a> A methodology is provided for the Department of Education to calculate funding to eligible charter schools and a charter school’s governing body is allowed to use capital outlay funds only for specified purposes.</p> <p><a href="#">(F.S. 1013.62 Charter schools capital outlay funding)</a></p>
<p>Options for High-Performing Charters</p>	<p><b>YES</b></p> <p>High-performing charter schools receive incentives and a favorable regulatory environment</p>	<p><a href="#">(F.S. 1002.33(3)(b) Application Process and Review)</a></p> <p>(b) An application submitted by a high-performing charter school identified pursuant to s. 1002.331 or a high-performing charter school system identified pursuant to s. 1002.332 may be denied by the sponsor only if the sponsor demonstrates by clear and convincing evidence that:</p> <ol style="list-style-type: none"> <li>I. The application of a high-performing charter school does not materially comply with the requirements in paragraph (a) or, for a high-performing charter school system, the application does not materially comply with s. 1002.332(2)(b);</li> <li>II. The charter school proposed in the application does not materially comply with the requirements in paragraphs (9)(a)-(f);</li> <li>III. The proposed charter school’s educational program does not substantially replicate that of the applicant or one of the applicant’s high-performing charter schools;</li> <li>IV. The applicant has made a material misrepresentation or false statement or concealed an essential or material fact during the application process; or</li> <li>V. The proposed charter school’s educational program and financial management practices do not materially comply with the requirements of this section.</li> </ol> <p><a href="#">(F.S. 1002.33(3)(a)(f(2)) Application Process and Review)</a></p> <p>A sponsor may not require a high-performing charter school or high-performing charter school system applicant to participate in the training described in this subparagraph more than once.</p> <p><a href="#">s. 1002.331.</a></p> <p>A sponsor may not require a charter school to waive the provisions of s. 1002.331 or require a student enrollment cap that prohibits a high-performing charter school from increasing enrollment in accordance with s. 1002.331(2) as a condition of approval or renewal of a charter.</p>

		<p>(<a href="#">F.S. 1002.33</a>(20) Services)</p> <p>(3) A sponsor may withhold an administrative fee for the provision of such services which shall be a percentage of the available funds defined in paragraph (17)(b) calculated based on weighted full-time equivalent students. If the charter school serves 75 percent or more exceptional education students as defined in s. 1003.01(9), the percentage shall be calculated based on unweighted full-time equivalent students. The administrative fee shall be calculated as follows:</p> <ul style="list-style-type: none"> <li>a. Up to 5 percent for:             <ul style="list-style-type: none"> <li>I. Enrollment of up to and including 250 students in a charter school as defined in this section.</li> <li>II. Enrollment of up to and including 500 students within a charter school system which meets all of the following:                 <ul style="list-style-type: none"> <li>A. Includes conversion charter schools and nonconversion charter schools.</li> <li>B. Has all of its schools located in the same county.</li> <li>C. Has a total enrollment exceeding the total enrollment of at least one school district in this state.</li> <li>D. Has the same governing board for all of its schools.</li> <li>E. Does not contract with a for-profit service provider for management of school operations.</li> </ul> </li> <li>III. Enrollment of up to and including 250 students in a virtual charter school.</li> </ul> </li> <li>b. Up to 2 percent for enrollment of up to and including 250 students in a high-performing charter school as defined in s. 1002.331.</li> </ul>
<p><b>Charter Zoning Exemptions</b></p>	<p><b>YES</b></p> <p>The same exemptions are provided</p>	<p><a href="#">F.S. 1002.33</a>(b)(3) A local governing authority may not apply or enforce a condition against a charter school unless the condition is uniformly applied to other public schools within the jurisdiction of the local governing authority and the charter school is located on property that is the subject of a previously approved development order or development permit, and if such development order or development permit contains conditions applicable to the construction or operation of a public or private school.</p> <p><a href="#">F.S. 1002.33</a>(b)(5) <i>Sponsor duties.</i></p> <p>(20). Notwithstanding any other provision of law, an interlocal agreement or ordinance that imposes a greater regulatory burden on charter schools than school districts or that prohibits or limits the creation of a charter school is void and unenforceable. An interlocal agreement entered into by a school district for the development of only its own schools, including provisions relating to the extension of infrastructure, may be used by charter schools.</p>

[F.S. 1002.33](#)(c) 'Notwithstanding any other law, local ordinance, or regulation to the contrary, a local governing authority may not require a charter school to obtain a special exemption or conditional use approval for the charter school to be an allowable use under the local governing authority's land development code.'

**SOURCE CITATIONS**

**Statutes**

[F.S. 1002.33 Charter schools](#)

[F.S. 1011.71 District school tax](#)

[F.S. 1013.62 Charter schools capital outlay funding](#)

**Administrative Code**

[Rule 6A-2.0020 Capital Outlay](#)

**Other Resources**

[ECS Charter Laws](#)

[Alliance \(NAPCS\) Database](#)



## Private School Choice in Florida

POLICY	OVERALL RATING	PROGRAM OVERVIEW
<p><b>Universal Eligibility</b></p>	<p><b>YES</b></p> <p><i>Scoring is calculated based off % of all students served</i></p>	<p><b>Family Empowerment Scholarship - Educational Options Program (2019)</b>                      Students are eligible for a scholarship if they are Florida residents and are eligible to enroll in a K-12 public school in the state.</p> <p>Priority is given to certain students as follows:</p> <ul style="list-style-type: none"> <li>• Student whose household income level does not exceed 185% of the federal poverty level or who is in foster care or out-of-home care</li> <li>• A student whose household income level exceeds 185% of the federal poverty level but does not exceed 400% of the federal poverty level.</li> </ul> <p>The Family Empowerment Scholarship for Educational Options is the option for eligible students residing in Florida.</p> <ul style="list-style-type: none"> <li>• Florida Statute 1002.394 requires the State Board of Education to adopt rules to administer this section of statute.</li> </ul> <p><a href="#">(F.S. 1002.394 The Family Empowerment Scholarship Program)</a></p> <p>Administrative Rules confirm the requirements established in Florida Statute – Students are eligible if they are residents of the state and eligible to enroll in K-12 in a public school in the state.</p> <p><a href="#">(Rule 6A-6.0952 The Family Empowerment Scholarship Program)</a></p>
		<p><b>YES</b></p> <p><b>Family Empowerment Scholarship (Unique Abilities ESA)</b>                      Students are eligible for a scholarship if they are Florida residents and are eligible to enroll in a K-12 public school in the state.</p> <p>Priority is given to certain students as follows:</p> <ul style="list-style-type: none"> <li>• Student whose household income level does not exceed 185% of the federal poverty level or who is in foster care or out-of-home care</li> </ul>

			<ul style="list-style-type: none"> <li>• A student whose household income level exceeds 185% of the federal poverty level but does not exceed 400% of the federal poverty level.</li> </ul> <p>The Family Empowerment Scholarship for Students with Unique Abilities is the option for eligible students with disabilities.</p> <ul style="list-style-type: none"> <li>• Florida Statute 1002.394 requires the State Board of Education to adopt rules to administer this section of statute.</li> </ul> <p><a href="#">(F.S. 1002.394 The Family Empowerment Scholarship Program)</a></p> <p>Administrative Rules confirm the requirements established in Florida Statute – Students are eligible if they are residents of the state and eligible to enroll in K-12 in a public school in the state.</p> <p><a href="#">(Rule 6A-6.0952 The Family Empowerment Scholarship Program)</a></p>
		<p><b>LIMITED</b></p>	<p><b>Hope Scholarship Program</b></p> <p>Students are eligible for the Florida Hope Scholarship Program if the student is enrolled in a Florida public school in K-12 and if the student reported an incident specified within the statute. This includes battery; harassment; hazing; bullying; kidnapping; physical attack; robbery; sexual offense; threat or intimidation; or fighting at school.</p> <p><a href="#">(F.S. 1002.40 The Hope Scholarship Program)</a></p> <ul style="list-style-type: none"> <li>• Florida Statute 1002.40 requires the State Board of Education to adopt rules to administer this section of statute.</li> </ul> <p>Administrative Rules confirm the requirements outlined in statute regarding student eligibility for this program.</p> <p><a href="#">(Rule 6A-6.0951 The Hope Scholarship Program)</a></p>
		<p><b>YES</b></p>	<p><b>Florida Tax Credit Scholarship Program (2001)</b></p> <p>Students are eligible for a scholarship if they are Florida residents and are eligible to enroll in a K-12 public school in the state.</p> <p>Priority is given to certain students as follows:</p> <ul style="list-style-type: none"> <li>• Student whose household income level does not exceed 185% of the federal poverty level or who is in foster care or out-of-home care</li> </ul>

			<ul style="list-style-type: none"> <li>• A student whose household income level exceeds 185% of the federal poverty level but does not exceed 400% of the federal poverty level.             <ul style="list-style-type: none"> <li>○ Florida Statute 1002.395 requires the State Board of Education to adopt rules to administer the responsibilities of the Department of Education and the Commissioner of Education under this section of statute.</li> </ul> </li> </ul> <p><a href="#">(F.S. 1002.395 Florida Tax Credit Scholarship Program)</a></p> <p>Amendments to Florida Statute 1002.395, through <a href="#">House Bill 1</a> in 2023, provide that parents that direct the education of their students may have access to funds in an education savings account for their student, pursuant to the Personalized Education Program.</p> <p>Administrative Rules explain that scholarships may be awarded to qualified students attending eligible private schools or public schools outside the school district in which the student resides or in a laboratory school; or students participating in personalized education programs.</p> <p>Rules further specify that qualified students should be identified consistent with the requirements in Florida Statutes.</p> <p><a href="#">(Rule 6A-0960 Florida Tax Credit Scholarship Program)</a></p>
<p><b>Comparable Student Funding</b></p>	<p><b>LIMITED</b></p> <p>Funding below 90%</p> <p><i>Scoring is calculated based off program with largest number of students (Family Empowerment Scholarship EO)</i></p>	<p><b>LIMITED</b></p>	<p><b>Family Empowerment Scholarship Educational Options Program</b> 72% of public school per-student spending.</p> <p><a href="#">(EdChoice, The ABCs of School Choice: Florida (2024 Edition))</a></p>
		<p><b>YES</b></p>	<p><b>Family Empowerment Scholarship (Unique Abilities ESA)</b> 90% of per-student funding for special needs.</p>
		<p><b>LIMITED</b></p>	<p><b>Hope Scholarship</b> 72% of public school per-student spending.</p> <p><a href="#">(EdChoice, The ABCs of School Choice: Florida (2024 Edition))</a></p>
		<p><b>LIMITED</b></p>	<p><b>Florida Tax Credit Scholarship Program (2001)</b> 72% of public school per-student spending.</p> <p><a href="#">(EdChoice, The ABCs of School Choice: Florida (2024 Edition))</a></p>

<p><b>Uncapped Student Access</b></p>	<p><b>YES</b></p> <p><i>Scoring is calculated based off program with largest number of students (Family Empowerment Scholarship EO)</i></p>	<p><b>YES</b></p>	<p><b>Family Empowerment Scholarship Educational Options Program (2019)</b>                  Florida Statute does not appear to limit the number of students who can participate, through either a funding or enrollment cap. Statute does provide a cap for students with disabilities participation.</p> <ul style="list-style-type: none"> <li>Florida Statute 1002.394 requires the State Board of Education to adopt rules to administer this section of statute.</li> </ul> <p><a href="#">(F.S. 1002.394 The Family Empowerment Scholarship Program)</a></p> <p>Administrative Rules do not address limiting participation of students.</p> <p><i>Amendments</i>  <a href="#">House Bill 1</a>, signed into law in 2023, expands school choice options and eliminates the financial eligibility restrictions and current enrollment cap for the Family Empowerment Scholarship Educational Options.</p>
	<p><b>LIMITED</b></p>	<p><b>Family Empowerment Scholarship (Unique Abilities ESA)</b>                  Florida Statute does provide a cap for students with disabilities who participate in the program.</p> <p>For 2023-2024, the maximum number of students with disabilities participating is the number of students the organization and the Department determined eligible pursuant to statute. Beginning in the 2024-2025 school year, the maximum number shall annually increase by 3.0% of the state’s total exceptional student education full-time equivalent student membership, not including gifted students.</p> <ul style="list-style-type: none"> <li>Florida Statute 1002.394 requires the State Board of Education to adopt rules to administer this section of statute.</li> </ul> <p><a href="#">(F.S. 1002.394 The Family Empowerment Scholarship Program)</a></p> <p>Administrative Rules do not address limiting participation of students.</p> <p><i>Amendments</i>  <a href="#">House Bill 1</a>, signed into law in 2023, increases the annual scholarship cap growth for the Family Empowerment Scholarship for Students with Unique Abilities from 1% to 3% annually to address high demand and wait lists.</p>	

		<p><b>LIMITED</b></p>	<p><b>Hope Scholarship Program</b>                      Funding is limited by availability of funds and funds are awarded on a first-come, first-served basis.</p> <p>The maximum amount awarded to a student enrolled in a public school located outside the district in which the student resides shall be \$750.</p> <p><a href="#">(F.S. 1002.40 The Hope Scholarship Program)</a></p> <ul style="list-style-type: none"> <li>Florida Statute 1002.40 requires the State Board of Education to adopt rules to administer this section of statute.</li> </ul> <p>Administrative Rules do not address funding or enrollment caps.</p>
		<p><b>LIMITED</b></p>	<p><b>Florida Tax Credit Scholarship Program (2001)</b>                      Tax credit cap amount is the tax credit cap amount in the prior state fiscal year.</p> <p>Any state fiscal year when the annual tax credit amount for the prior state fiscal year is equal to or greater than 90% of the tax credit cap amount applicable to that state fiscal year, the tax credit cap amount <u>shall increase by 25%</u>.</p> <p>Tax credit cap amount for 2022-2023 is: \$1,091,957,093.</p> <p>For the 2023-2024 school year, the state may fund no more than 20,000 scholarships for students – the number of scholarships funded may increase by 40,000 in each subsequent school year. (The subparagraph establishing this requirement is repealed in 2027)</p> <ul style="list-style-type: none"> <li>Florida Statute 1002.395 requires the State Board of Education to adopt rules to administer the responsibilities of the Department of Education and the Commissioner of Education under this section of statute.</li> </ul> <p><a href="#">(F.S. 1002.395 Florida Tax Credit Scholarship Program)</a></p> <p>Administrative Rules do not discuss funding or enrollment caps.</p>

<p><b>Extended Application Window</b></p>	<p><b>YES</b></p> <p><i>Scoring is calculated based off program with largest number of students (Family Empowerment Scholarship EO)</i></p>	<p><b>YES</b></p> <p><b>Family Empowerment Scholarship Educational Options Program</b>                  Parents of students must select an eligible private school and apply for admission. The parent should request the scholarship by a date established by the organization.</p> <p><a href="#">(F.S. 1002.394 The Family Empowerment Scholarship Program)</a></p> <ul style="list-style-type: none"> <li>Florida Statute 1002.394 requires the State Board of Education to adopt rules to administer this section of statute.</li> </ul> <p>Administrative Rules do not discuss applications on a rolling basis.</p>
		<p><b>YES</b></p> <p><b>Family Empowerment Scholarship (Unique Abilities ESA)</b>                  Florida Statute notes that parents who apply for program participation for a disabled student are exercising his or her parental option to determine the appropriate placement or the services that best meet the needs of the child – the parent must apply to the eligible nonprofit scholarship-funding organization to participate in the program by a date set by the organization.</p> <p><a href="#">(F.S. 1002.394 The Family Empowerment Scholarship Program)</a></p> <ul style="list-style-type: none"> <li>Florida Statute 1002.394 requires the State Board of Education to adopt rules to administer this section of statute.</li> </ul> <p>Administrative Rules do not discuss applications on a rolling basis.</p>
		<p><b>YES</b></p> <p><b>Hope Scholarship Program</b>                  Florida Statute does provide a timeline for application. Statute specifies that upon receipt of a report of an incident, the school principal must provide a copy of the report to the parent and then investigate the incident. Within 24 hours of receiving the report, the principal must provide a copy of the report to the parent of the alleged offender and to the superintendent. After concluding the investigation or within 15 days after the incident is reported, whichever occurs first, the district must notify the parent of the program and offer the parent the opportunity to enroll in another public school that has the capacity or to request and receive a scholarship to attend an eligible private school, subject to available funding.</p> <p><a href="#">(F.S. 1002.40 The Hope Scholarship Program)</a></p> <ul style="list-style-type: none"> <li>Florida Statute 1002.40 requires the State Board of Education to adopt rules to administer this section of statute.</li> </ul>

			<p>Administrative Rules specify the scholarship-funding organization must establish application procedures and deadlines.</p> <p><a href="#">(Rule 6A-6.0951 The Hope Scholarship Program)</a></p>
<p><b>Student Testing Options</b></p>	<p><b>YES</b></p> <p><i>Scoring is calculated based off program with largest number of students (Family Empowerment Scholarship EO)</i></p>	<p><b>YES</b></p>	<p><b>Florida Tax Credit Scholarship Program (2001)</b> Parents of students must select an eligible private school and apply for admission.</p> <p><a href="#">(F.S. 1002.395 Florida Tax Credit Scholarship Program)</a></p> <ul style="list-style-type: none"> <li>Florida Statute 1002.395 requires the State Board of Education to adopt rules to administer the responsibilities of the Department of Education and the Commissioner of Education under this section of statute.</li> </ul> <p>Administrative Rules do not discuss applications on a rolling basis.</p>
		<p><b>YES</b></p>	<p><b>Family Empowerment Scholarship Educational Options Program</b> Florida Statute requires, upon the request of the department, school districts to coordinate to provide a participating private school the statewide assessments and any related materials for administering the assessments.</p> <p>Statute requires eligible private schools to annually administer or make provisions for students participating in the scholarship program in grades 3-10 to take one of the <u>nationally norm-referenced tests</u> identified by the Department of Education or the statewide assessments pursuant to statute.</p> <p><a href="#">(F.S. 1002.394 The Family Empowerment Scholarship Program)</a></p> <ul style="list-style-type: none"> <li>Florida Statute 1002.394 requires the State Board of Education to adopt rules to administer this section of statute.</li> </ul> <p>Administrative Rules do not discuss academic testing options.</p>
		<p><b>YES</b></p>	<p><b>Family Empowerment Scholarship (Unique Abilities ESA)</b> Florida Statute requires, upon the request of the department, school districts to coordinate to provide a participating private school the statewide assessments and any related materials for administering the assessments.</p> <p>Statute requires eligible private schools to annually administer or make provisions for students participating in the scholarship program in grades 3-10 to take one of the <u>nationally norm-</u></p>

		<p><u>referenced tests</u> identified by the Department of Education or the statewide assessments pursuant to statute.</p> <p><a href="#">(F.S. 1002.394 The Family Empowerment Scholarship Program)</a></p> <ul style="list-style-type: none"> <li>Florida Statute 1002.394 requires the State Board of Education to adopt rules to administer this section of statute.</li> </ul> <p>Administrative Rules do not discuss academic testing options.</p>
	YES	<p><b>Hope Scholarship Program</b></p> <p>Florida Statute requires private schools participating in state school choice scholarship programs to comply with Florida Statute 1002.421. Further, eligible private schools must annually administer or make provisions for students participating in grades 3-10 and participating in the program to take one of the <u>nationally norm-referenced tests</u> identified by the department or the statewide assessments as required by statute.</p> <p>Florida Statute requires private schools to administer statewide assessments if a private school chooses to offer the statewide assessments.</p> <p><a href="#">(F.S. 1002.40 The Hope Scholarship Program)</a></p> <ul style="list-style-type: none"> <li>Florida Statute 1002.40 requires the State Board of Education to adopt rules to administer this section of statute.</li> </ul> <p>Administrative Rules do not address flexible academic testing options.</p>
	YES	<p><b>Florida Tax Credit Scholarship Program (2001)</b></p> <p>Statute requires eligible private schools to annually administer or make provisions for students participating in the scholarship program in grades 3-10 to take one of the <u>nationally norm-referenced tests</u> identified by the Department of Education or the statewide assessments pursuant to statute.</p> <p>Statute requires eligible private schools to administer the statewide assessments if a private school chooses to offer the statewide assessments.</p> <ul style="list-style-type: none"> <li>Florida Statute 1002.395 requires the State Board of Education to adopt rules to administer the responsibilities of the Department of Education and the Commissioner of Education under this section of statute.</li> </ul>

			<p><a href="#">(F.S. 1002.395 Florida Tax Credit Scholarship Program)</a></p> <p>Administrative Rules specify that private schools participating in the program are responsible for ensuring that all students in grades 3-10 who are receiving scholarships are assessed annually and the results must be reported according to statute.</p> <p>Administrative Rules explain that participating private schools “must annually administer” a nationally norm-referenced test that has been approved by the Department and listed on the Department’s website. The Administrative Rules provide for the criteria required for the Department to approve the use of a nationally norm-referenced assessment.</p> <p><a href="#">(Rule 6A-0960 Florida Tax Credit Scholarship Program)</a></p>
<p><b>School Autonomy</b></p>	<p><b>LIMITED</b></p> <p>Silent language or adverse regulations</p> <p><i>Scoring is calculated based off program with largest number of students (Family Empowerment Scholarship EO)</i></p>	<p><b>LIMITED</b></p>	<p><b>Family Empowerment Scholarship Educational Options Program</b></p> <p>Florida Statute 1002.394 requires all private schools to comply with all requirements specified in Florida Statute 1002.421.</p> <p><a href="#">(F.S. 1002.394 The Family Empowerment Scholarship Program)</a></p> <p>Statute specifies the requirements for private schools participating in an educational scholarship program. For example, private schools that would like to participate must meet all state and local health, safety, and welfare laws, codes, and rules; employ teachers who meet certain requirements; background screenings for educators; and others.</p> <ul style="list-style-type: none"> <li>• Florida Statute 1002.421 requires the State Board of Education to adopt rules to administer this section of statute.</li> </ul> <p><a href="#">(F.S. 1002.421 State school choice scholarship program accountability and oversight)</a></p> <p>Administrative Rules do not address private school autonomy.</p>
		<p><b>LIMITED</b></p>	<p><b>Family Empowerment Scholarship (Unique Abilities ESA)</b></p> <p>Florida Statute 1002.394 requires all private schools to comply with all requirements specified in Florida Statute 1002.421.</p> <p><a href="#">(F.S. 1002.394 The Family Empowerment Scholarship Program)</a></p> <p>Statute specifies the requirements for private schools participating in an educational scholarship program. For example, private schools that would like to participate must meet all</p>

			<p>state and local health, safety, and welfare laws, codes, and rules; employ teachers who meet certain requirements; background screenings for educators; and others.</p> <ul style="list-style-type: none"> <li>Florida Statute 1002.421 requires the State Board of Education to adopt rules to administer this section of statute.</li> </ul> <p><a href="#">(F.S. 1002.421 State school choice scholarship program accountability and oversight)</a></p> <p>Administrative Rules do not address private school autonomy.</p>
		<p><b>LIMITED</b></p>	<p><b>Hope Scholarship Program</b>                  Florida Statute requires private schools participating in state school choice scholarship programs to comply with Florida Statute 1002.421.</p> <p><a href="#">(F.S. 1002.40 The Hope Scholarship Program)</a></p> <p>Statute specifies the requirements for private schools participating in an educational scholarship program. For example, private schools that would like to participate must meet all state and local health, safety, and welfare laws, codes, and rules; employ teachers who meet certain requirements; background screenings for educators; and others.</p> <ul style="list-style-type: none"> <li>Florida Statute 1002.421 requires the State Board of Education to adopt rules to administer this section of statute.</li> </ul> <p><a href="#">(F.S. 1002.421 State school choice scholarship program accountability and oversight)</a></p> <p>Administrative Rules do not address private school autonomy.</p>
		<p><b>LIMITED</b></p>	<p><b>Florida Tax Credit Scholarship Program (2001)</b>                  Florida Statute 1002.395 requires all private schools to comply with all requirements specified in Florida Statute 1002.421.</p> <p><a href="#">(F.S. 1002.395 Florida Tax Credit Scholarship Program)</a></p> <p>Statute specifies the requirements for private schools participating in an educational scholarship program. For example, private schools that would like to participate must meet all state and local health, safety, and welfare laws, codes, and rules; employ teachers who meet certain requirements; background screenings for educators; and others.</p>

			<ul style="list-style-type: none"> <li>Florida Statute 1002.421 requires the State Board of Education to adopt rules to administer this section of statute.</li> </ul> <p><a href="#">(F.S. 1002.421 State school choice scholarship program accountability and oversight)</a></p> <p>Administrative Rules do not address private school autonomy.</p>
<p><b>Accessible School Participation</b></p>	<p><b>YES</b></p> <p>No accreditation requirement</p> <p><i>Scoring is calculated based off program with largest number of students (Family Empowerment Scholarship EO)</i></p>	<p><b>YES</b></p>	<p><b>Family Empowerment Scholarship Educational Options Program</b></p> <p>Statute does not require participating private schools to have accreditation.</p>
		<p><b>YES</b></p>	<p><b>Family Empowerment Scholarship (Unique Abilities ESA)</b></p> <p>Statute does not require participating private schools to have accreditation.</p>
		<p><b>YES</b></p>	<p><b>Hope Scholarship Tax Credit Program</b></p> <p>Statute does not require participating private schools to have accreditation.</p>
		<p><b>YES</b></p>	<p><b>Florida Tax Credit Scholarship Program (2001)</b></p> <p>Statute does not require participating private schools to have accreditation.</p> <p>Statute requires input from accrediting associations that are members of the Florida Association of Academic Nonpublic Schools and the Department of Education when developing agreed-upon procedures and guidelines for private school eligibility for the program.</p> <ul style="list-style-type: none"> <li>Florida Statute 1002.395 requires the State Board of Education to adopt rules to administer the responsibilities of the Department of Education and the Commissioner of Education under this section of statute.</li> </ul> <p><a href="#">(F.S. 1002.395 Florida Tax Credit Scholarship Program)</a></p> <p>Administrative Rules do not discuss accreditation.</p>

## ESAs and Parent-Directed Spending

Freedom to Customize

**YES**

*Scoring is calculated based off program with largest number of students (Family Empowerment Scholarship EO)*

**YES**

### Family Empowerment Scholarship Educational Options Program

Statute specifies that the empowerment accounts for students that are maintained by the organization, may be used for the following expenses:

- Tuition and fees for full-time or part-time enrollment in an eligible private school;
- Transportation to a Florida public school in which the student is enrolled and is different from where the student is assigned;
- Instructional materials, including digital materials and internet resources;
- Curriculum;
- Tuition and fees associated with full-time or part-time enrollment in a home education instructional program; postsecondary educational institution; pre-apprenticeship programs; private tutoring programs; virtual programs; or online courses;
- Fees for achievement tests, AP examinations, industry certification examinations, assessments related to postsecondary education, and others;
- Contracted services provided by a public school or school districts;
- Tuition and fees for part-time tutoring services or fees for services provided by a choice navigator.
  - Florida Statute 1002.394 requires the State Board of Education to adopt rules to administer this section of statute.

[\(F.S. 1002.394 The Family Empowerment Scholarship Program\)](#)

Administrative Rules do not address qualifying expenses.

**LIMITED**

### Family Empowerment Scholarship (Unique Abilities ESA)

Statute specifies that the empowerment accounts for students in the unique abilities program that are maintained by the organization, may be used for the following expenses:

- Instructional materials;
- Curriculum;
- Specialized services by approved providers or by a hospital that are selected by the parent;

			<ul style="list-style-type: none"> <li>• Tuition and fees associated with full-time or part-time enrollment in a home education instructional program; postsecondary educational institution; pre-apprenticeship programs; private tutoring programs; virtual programs; or online courses;</li> <li>• Fees for achievement tests, AP examinations, industry certification examinations, assessments related to postsecondary education, and others;</li> <li>• Contributions to a prepaid college program or college savings program;</li> <li>• Contracted services provided by a public school or school district, including classes;</li> <li>• Tuition and fees for part-time tutoring services or fees for services provided by a choice navigator;</li> <li>• Fees for specialized summer education programs and after-school education programs;</li> <li>• Transition services provided by job coaches;</li> <li>• Fees for an annual evaluation of educational progress by a state-certified teachers;</li> <li>• Tuition and fees associated with programs offered by Voluntary PreKindergarten Education Program providers;</li> <li>• Fees for services provided at a center that is a member of the Professional Association of Therapeutic Horsemanship International; and</li> <li>• Fees 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.             <ul style="list-style-type: none"> <li>○ Florida Statute 1002.394 requires the State Board of Education to adopt rules to administer this section of statute.</li> </ul> </li> </ul> <p><a href="#">(F.S. 1002.394 The Family Empowerment Scholarship Program)</a></p> <p>Administrative Rules do not address qualifying expenses.</p>
		<p><b>YES</b></p>	<p><b>Florida Tax Credit Scholarship Program (2001)</b>            Florida Tax Credit Scholarship Program funds are placed in an education account on behalf of families.</p> <p>Statute specifies that the empowerment accounts for students that are maintained by the organization, may be used for the following expenses:</p> <ul style="list-style-type: none"> <li>• Tuition and fees for full-time or part-time enrollment in an eligible private school;</li> <li>• Transportation to a Florida public school in which the student is enrolled and is different from where the student is assigned;</li> <li>• Instructional materials, including digital materials and internet resources;</li> </ul>

			<ul style="list-style-type: none"> <li>• Curriculum;</li> <li>• Tuition and fees associated with full-time or part-time enrollment in a home education instructional program; postsecondary educational institution; pre-apprenticeship programs; private tutoring programs; virtual programs; or online courses;</li> <li>• Fees for achievement tests, AP examinations, industry certification examinations, assessments related to postsecondary education, and others;</li> <li>• Contracted services provided by a public school or school districts;</li> <li>• Tuition and fees for part-time tutoring services or fees for services provided by a choice navigator.             <ul style="list-style-type: none"> <li>○ Florida Statute 1002.395 requires the State Board of Education to adopt rules to administer the responsibilities of the Department of Education and the Commissioner of Education under this section of statute.</li> </ul> </li> </ul> <p><a href="#">(F.S. 1002.395 Florida Tax Credit Scholarship Program)</a></p> <p>Administrative Rules do not address purchasing flexibility.</p>
<p><b>Freedom to Access</b></p>	<p><b>YES</b></p> <p><i>Scoring is calculated based off program with largest number of students (Family Empowerment Scholarship EO)</i></p>	<p><b>YES</b></p>	<p><b>Family Empowerment Scholarship Educational Options Program</b></p> <p>Students are eligible for a scholarship if they are Florida residents and are eligible to enroll in a K-12 public school in the state.</p> <p>Priority is given to certain students as follows:</p> <ul style="list-style-type: none"> <li>• Student whose household income level does not exceed 185% of the federal poverty level or who is in foster care or out-of-home care</li> <li>• A student whose household income level exceeds 185% of the federal poverty level but does not exceed 400% of the federal poverty level.</li> </ul> <p>The Family Empowerment Scholarship for Educational Options is the option for eligible students residing in Florida.</p> <ul style="list-style-type: none"> <li>• Florida Statute 1002.394 requires the State Board of Education to adopt rules to administer this section of statute.</li> </ul> <p><a href="#">(F.S. 1002.394 The Family Empowerment Scholarship Program)</a></p>

			<p>Administrative Rules confirm the requirements established in Florida Statute – Students are eligible if they are residents of the state and eligible to enroll in K-12 in a public school in the state.</p> <p><a href="#">(Rule 6A-6.0952 The Family Empowerment Scholarship Program)</a></p>
		<p><b>YES</b></p>	<p><b>Family Empowerment Scholarship (Unique Abilities ESA)</b>                  Students are eligible for the Florida tax credit scholarship if the student is a resident of the state and is eligible to enroll in K-12 in a public school in the state.</p> <p>Priority is given to certain students as follows:</p> <ul style="list-style-type: none"> <li>• Student whose household income level does not exceed 185% of the federal poverty level or who is in foster care or out-of-home care</li> <li>• A student whose household income level exceeds 185% of the federal poverty level but does not exceed 400% of the federal poverty level.</li> </ul> <p>The Family Empowerment Scholarship for Students with Unique Abilities is the option for eligible students with disabilities.</p> <ul style="list-style-type: none"> <li>• Florida Statute 1002.394 requires the State Board of Education to adopt rules to administer this section of statute.</li> </ul> <p><a href="#">(F.S. 1002.394 The Family Empowerment Scholarship Program)</a></p> <p>Administrative Rules confirm the requirements established in Florida Statute – Students are eligible if they are residents of the state and eligible to enroll in K-12 in a public school in the state.</p> <p><a href="#">(Rule 6A-6.0952 The Family Empowerment Scholarship Program)</a></p>
		<p><b>YES</b></p>	<p><b>Florida Tax Credit Scholarship Program (2001)</b>                  Students are eligible for the Florida tax credit scholarship if the student is a resident of the state and is eligible to enroll in K-12 in a public school in the state.</p> <p>Priority is given to certain students as follows:</p> <ul style="list-style-type: none"> <li>• Student whose household income level does not exceed 185% of the federal poverty level or who is in foster care or out-of-home care</li> </ul>

			<ul style="list-style-type: none"> <li>• A student whose household income level exceeds 185% of the federal poverty level but does not exceed 400% of the federal poverty level.</li> <li>• Florida Statute 1002.395 requires the State Board of Education to adopt rules to administer the responsibilities of the Department of Education and the Commissioner of Education under this section of statute.</li> </ul> <p><a href="#">(F.S. 1002.395 Florida Tax Credit Scholarship Program)</a></p> <p>Amendments to Florida Statute 1002.395, through <a href="#">House Bill 1</a> in 2023, provide that parents that direct the education of their students may have access to funds in an education savings account for their student, pursuant to the Personalized Education Program.</p> <p>Administrative Rules explain that scholarships may be awarded to qualified students attending eligible private schools or public schools outside the school district in which the student resides or in a laboratory school; or students participating in personalized education programs.</p> <p>Rules further specify that qualified students should be identified consistent with the requirements in Florida Statutes.</p> <p><a href="#">(Rule 6A-0960 Florida Tax Credit Scholarship Program)</a></p>
<p><b>Carry-Over Funding</b></p>	<p><b>YES</b></p> <p><i>Scoring is calculated based off program with largest number of students (Family Empowerment Scholarship EO)</i></p>	<p><b>YES</b></p>	<p><b>Family Empowerment Scholarship Educational Options Program</b></p> <p>Statute specifies that scholarships awarded to eligible students remain in force until:</p> <ul style="list-style-type: none"> <li>• The student is not eligible for renewal;</li> <li>• The Commissioner of Education suspends or revokes program participation or use of funds;</li> <li>• The student’s parent forfeits participation for failure to comply with certain requirements;</li> <li>• The student enrolls in a public school; or</li> <li>• The student graduates from high school or attains 21 years of age, whichever occurs first.</li> </ul> <p><a href="#">(F.S. 1002.394 The Family Empowerment Scholarship Program)</a></p> <p>Administrative Rules do not address carry over.</p>

		<p><b>YES</b></p>	<p><b>Family Empowerment Scholarship (Unique Abilities ESA)</b>                      Statute specifies that scholarships awarded to eligible students remain in force until:</p> <ul style="list-style-type: none"> <li>• The student is not eligible for renewal;</li> <li>• The Commissioner of Education suspends or revokes program participation or use of funds;</li> <li>• The student’s parent forfeits participation for failure to comply with certain requirements;</li> <li>• The student enrolls in a public school; or</li> <li>• The student graduates from high school or attains 21 years of age, whichever occurs first.</li> </ul> <p><a href="#">(F.S. 1002.394 The Family Empowerment Scholarship Program)</a></p> <p>Administrative Rules do not address carry over.</p>
		<p><b>YES</b></p>	<p><b>Florida Tax Credit Scholarship Program (2001)</b>                      Statute specifies that scholarships awarded to eligible students remain in force until:</p> <ul style="list-style-type: none"> <li>• The student is not eligible for renewal;</li> <li>• The Commissioner of Education suspends or revokes program participation or use of funds;</li> <li>• The student’s parent forfeits participation for failure to comply with certain requirements;</li> <li>• The student enrolls in a public school; or</li> <li>• The student graduates from high school or attains 21 years of age, whichever occurs first.</li> </ul> <p>Statute specifies that eligible nonprofit scholarship-funding organizations may not transfer any funds to an account of a student determined eligible which has a balance more than \$24,000.</p> <p>According to statute, students whose participation in the program is not renewed may continue to spend scholarship funds that are in the account from prior years unless the account must be closed.</p>

			<ul style="list-style-type: none"> <li>Florida Statute 1002.395 requires the State Board of Education to adopt rules to administer the responsibilities of the Department of Education and the Commissioner of Education under this section of statute.</li> </ul> <p><a href="#">(F.S. 1002.395 Florida Tax Credit Scholarship Program)</a></p> <p>Administrative Rules do not address carry over.</p>
<b>Tax Credits</b>			
Full Tax Credit	<p><b>YES</b></p> <p><i>State's largest private school choice program does not qualify as a Tax Credit. Score is based off the largest Tax Credit program. (Florida Tax Credit Scholarship)</i></p>	YES	<p><b>Hope Scholarship Tax Credit Program</b></p> <p>Tax credit value is 100%.</p> <p><a href="#">(EdChoice, The ABCs of School Choice: Florida (2024 Edition))</a></p> <p>Florida Statute specifies that tax credits are available for use by individuals that make an eligible contribution. Eligible contributions must be used to fund scholarships. Each eligible contribution is limited to a single payment of \$105 per motor vehicle purchased at the time of purchase of a motor vehicle or a single payment of \$105 per motor vehicle purchased at the time of registration of a motor vehicle that was not purchased from a dealer.</p> <p>Payments of contributions must be made to a dealer at the time of purchase of a motor vehicle or to a designated agent or private tag agent at the time of registration of a motor vehicle that was not purchased from a dealer.</p> <p><a href="#">(F.S. 1002.40 The Hope Scholarship Program)</a></p> <ul style="list-style-type: none"> <li>Florida Statute 1002.40 requires the State Board of Education to adopt rules to administer this section of statute.</li> </ul> <p>Administrative Rules do not address the tax credit.</p>
		YES	<p><b>Florida Tax Credit Scholarship Program (2001)</b></p> <p><i>General Information on Dollar-for-Dollar Credit</i></p> <p>Provides tax credit on corporate income taxes and insurance premium taxes for donations to nonprofit scholarship-funding organizations, nonprofits that provide scholarships to low- and middle- income students and children in foster care and offers funds for transportation to public schools outside a child's district.</p>

			<p>Dollar-for-dollar tax credit for businesses for SFO contributions.</p> <p>Tax credit cap: \$1,091,957,093 for 2022-2023 fiscal year.</p> <ul style="list-style-type: none"><li>• Florida Statute 1002.395 requires the State Board of Education to adopt rules to administer the responsibilities of the Department of Education and the Commissioner of Education under this section of statute.</li></ul> <p><a href="#">(F.S. 1002.395 Florida Tax Credit Scholarship Program)</a></p> <p>Administrative Rules do not address dollar-for-dollar credit.</p> <p><i>Amendments</i></p> <p><a href="#">House Bill 1</a> in 2023 eliminated financial eligibility restrictions in the Florida Tax Credit Scholarship Program while still prioritizing awards to students with household incomes that do not exceed 185% of the federal poverty level and incorporating a second priority to award scholarships to students who live in households with incomes between 185% of the federal poverty level and 400% of the federal poverty level.</p>
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SOURCE CITATIONS

Statutes	Administrative Code	Florida Department of Education	Other Resources
<a href="#">F.S. 1002.394 The Family Empowerment Scholarship Program</a>	<a href="#">Rule 6A-0952 Family Empowerment Scholarship Program</a>	<a href="#">FDOE, K-12 Scholarship Programs: Family Empowerment Scholarship</a>	<a href="#">EdChoice, Florida – Florida Tax Credit Scholarship Program</a>
<a href="#">F.S. 1002.40 The Hope Scholarship Program</a>	<a href="#">Rule 6A-6.0951 The Hope Scholarship Program</a>	<a href="#">FDOE, K-12 Scholarship Programs: Educational Options FAQs</a>	<a href="#">EdChoice Dashboard</a>
<a href="#">F.S. 1002.395 Florida Tax Credit Scholarship Program</a>	<a href="#">Rule 6A-0960 Florida Tax Credit Scholarship Program</a>	<a href="#">FDOE, K-12 Scholarship Programs: Unique Abilities FAQ</a>	
<a href="#">F.S. 1002.421 State school choice scholarship program accountability and oversight</a>		<a href="#">FDOE, K-12 Scholarship Programs: The Hope Scholarship</a>  <a href="#">FDOE, K-12 Scholarship Programs: Florida Tax Credit Scholarship</a>  <a href="#">FDOE, K-12 Scholarship Programs: Personalized Education Program (PEP) FAQs</a>	



## Homeschooling in Florida

POLICY	RATING	POLICY OVERVIEW
<p>Homeschool without Prior Approval</p>	<p><b>YES</b></p> <p>No permission required</p>	<p><b>Parents’ Bill of Rights</b>                      Statute establishes that all parental rights are reserved to the parent of a minor child, to be exercised without obstruction or interference from the state or any other governmental entity. This includes the right to apply to enroll a child in a public school, private school, home education program or other option authorized by law.</p> <p><a href="#">(F.S. 1014.04 Parental rights)</a></p> <ul style="list-style-type: none"> <li>This chapter is silent regarding State Board of Education rulemaking.</li> </ul> <p><b>K-12 Student and Parent Rights</b>                      Statute gives parents options for complying with school attendance laws, including a home education program.</p> <p><a href="#">(F.S. 1002.20(2)(b) and (6) K-12 student and parent rights)</a></p> <ul style="list-style-type: none"> <li>These sections are silent regarding State Board of Education rulemaking.</li> </ul> <p><b>Home Education Programs</b>                      Statute establishes that a home education program is to be registered with the district school superintendent only for the purpose of complying with the state’s attendance requirements. Within 30 days of establishing a home education program, the parent is required to notify the district superintendent of intent to establish and maintain a home education program. A written notice of termination, along with a required annual evaluation, must be submitted by the parent upon completion of the home education program. Following receipt and acceptance of a parent’s notice of intent to establish a home education program, the district is prohibited from requiring any additional information or verification from the parent unless the student chooses to participate in a school district program or service.</p> <p><a href="#">(F.S. 1002.41(1) Home education programs)</a></p> <p>In addition to registration of the program, Statute, an annual educational evaluation may lead to discontinuation of a program. Specifically, statute provides that “[C]ontinuation in a home education program shall be contingent upon the student demonstrating educational progress commensurate with her or his ability at the end of the probationary period.”</p>

		<p><a href="#">(F.S. 1002.41(1)(f) Home education programs)</a></p> <ul style="list-style-type: none"> <li>This section is silent regarding State Board of Education rulemaking.</li> </ul> <p>Statute also authorizes personalized education program which are only different from a home education program in that it requires registration with an eligible nonprofit scholarship funding organization pursuant to F.S. 1002.395 Florida Tax Credit Scholarship Program.</p> <p><a href="#">(F.S. 1002.01 Definitions)</a></p> <ul style="list-style-type: none"> <li>This section is silent regarding State Board of Education rulemaking.</li> </ul>
<p><b>No Extra Homeschool Notifications</b></p>	<p><b>YES</b></p> <p>One-time or no notification</p>	<p>Statute requires a parent to notify the district superintendent of the intent to establish a home education program within 30 days, along with notification of termination of the program within 30 days following its completion. Although there does not appear to be an annual notification requirement (i.e., establishment at the start of each school year and termination at the end of the school year), a parent is required to maintain a portfolio of records and materials, preserve the portfolio for 2 years, and make it available for inspection, if requested by the district superintendent.</p> <p><a href="#">(F.S. 1002.41(1)(e) Home education programs)</a></p> <p>Statute requires a parent to undertake an annual educational evaluation, documenting the student’s demonstration of educational progress, and to file it annually with the district superintendent.</p> <p><a href="#">(F.S. 1002.41(1)(f) Home education programs)</a></p> <ul style="list-style-type: none"> <li>This section is silent regarding State Board of Education rulemaking.</li> </ul>
<p><b>No Certification to Homeschool</b></p>	<p><b>YES</b></p> <p>No certification requirement</p>	<p>Statute establishes that the parent of a student participating in a home education program is not required to hold a valid regular Florida teaching certificate.</p> <p><a href="#">(F.S. 1002.41(1) Home education programs)</a></p> <ul style="list-style-type: none"> <li>This section is silent regarding State Board of Education rulemaking.</li> </ul>

<p><b>Flexible Assessment Options</b></p>	<p><b>YES</b></p> <p>Flexible academic accountability</p>	<p>Statute requires a school district to make national and statewide, standardized assessments offered by the district available to home education program students.</p> <p><a href="#">(F.S. 1002.41(12) Home education programs)</a></p> <ul style="list-style-type: none"> <li>This section is silent regarding State Board of Education rulemaking.</li> </ul> <p>To meet the statutory requirement of an annual educational evaluation, for purposes of documenting the student’s demonstration of educational progress, a parent selects the method of evaluation from among options identified in statute, including but not limited to: a certified teacher’s evaluation upon review of the portfolio and discussion with the student; performance on any nationally normed student achievement test; performance on a state student assessment test used by the school district; or evaluation on any other valid measurement tool subject to the mutual agreement of the district superintendent and parent.</p> <p><a href="#">(F.S. 1002.41(1)(f) Home education programs)</a></p> <ul style="list-style-type: none"> <li>This chapter is silent regarding State Board of Education rulemaking.</li> </ul>
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**SOURCE CITATIONS**

Statutes	Other State Resources	Other Resources
<p><a href="#">F.S. 1014 (ss. 1014.01-1014.06) Parents’ Bill of Rights</a></p> <p><a href="#">F.S. 1002.20 K-12 student and parent rights</a></p> <p><a href="#">F.S. 1002.41 Home education programs</a></p> <p><a href="#">F.S. 1002.01 Definitions</a></p>	<p><a href="#">FLDOE, School Choice: Home Education</a></p> <p><a href="#">Home Education Affidavit SAMPLE (PDF)</a></p>	<p><a href="#">HSLDA Homeschool Laws by State</a></p>

POLICY ENHANCERS



## Part-time Enrollment in Florida

POLICY	RATING	POLICY OVERVIEW
<p><b>Resident Course Access</b></p>	<p><b>LIMITED</b></p> <p>By type of student, type of course, or district policy</p>	<p><b>Student Eligibility for K-12 Virtual Instruction</b>                      Statute establishes that all students, including home education and private school students, are eligible to participate in the following virtual instruction options:</p> <ul style="list-style-type: none"> <li>• School district operated part-time or full-time K-12 virtual instruction programs pursuant to s. <a href="#">1002.45(1)(c)4</a> [limited to students within the school district]</li> <li>• Part-time or full-time virtual charter school instruction [open to students within the school district or to students in other school districts throughout the state, subject to enrollment requirements]</li> <li>• Virtual courses offered in the course code directory [open to students within the school district or to students in other school districts throughout the state]</li> <li>• Florida Virtual School instructional services</li> <li>• Virtual instruction provided by a school district through a contract with an approved virtual instruction program provider [open to students within the school district or to students in other school districts throughout the state, subject to enrollment requirements]</li> </ul> <p><a href="#">(F.S. 1002.455 Student eligibility for K-12 virtual instruction)</a></p> <ul style="list-style-type: none"> <li>• This section is silent regarding State Board of Education rulemaking.</li> </ul> <p><b>School District Virtual Course Offerings</b>                      Statute regarding school district virtual course offerings limits blended learning courses offered by the district to full-time students of the district. Virtual courses offered by the district are limited to students enrolled in the district. Any such student may enroll in an online course offered by the district or any other district in the state. The school district in which the student completes the course is required to report the student’s completion for funding purposes.</p>

		<p><a href="#">(F.S. 1003.498 School district virtual course offerings)</a></p> <p><b>Home Education Programs</b>                      Statute permits a home education student to participate in a school district program or service. The following options are enumerated in statute: participate in interscholastic extracurricular student activities; the Bright Futures Scholarship Program; and dual enrollment programs. In addition, home education program students may access testing and evaluation services at diagnostic and resource centers. In addition, industry certifications offered by a school district are required to be available to home education program students. Statute also authorizes a school district to provide specified services to home education program students, subject to district discretion and criteria, including exceptional student education-related services (for a student with a disability); and career and technical courses and programs.</p> <p><a href="#">(F.S. 1002.41(4-12) Home education programs)</a></p> <ul style="list-style-type: none"> <li>• This section is silent regarding State Board of Education rulemaking.</li> </ul> <p><b>Private Schools</b>                      Statutes regarding private schools are silent about private school students’ access to core and elective courses offered by school districts. However, there are provisions allowing the Department of Education to disseminate educational materials and sell copies for educational use to private schools; permitting district school boards to give unserviceable or surplus instructional materials to private schools; authorizing diagnostic and resource centers to provide testing and evaluation services to private school students; and permitting district school boards to provide instruction for exceptional students through contractual arrangements with approved private schools.</p> <p><a href="#">(F.S. 1002.42 Private schools)</a></p> <ul style="list-style-type: none"> <li>• This section does not authorize State Board of Education Rulemaking. It specifically details the intent of the Legislature not to regulate, control, approve, or accredit private educational institutions.</li> </ul>
<p><b>Nonresident Course Access</b></p>	<p><b>LIMITED</b>                      Districts only serve resident students or can impose other restrictions</p>	<p><b>Student Eligibility for K-12 Virtual Instruction</b>                      Statute establishes that all students, including home education and private school students, are eligible to participate in the following virtual instruction options:</p> <ul style="list-style-type: none"> <li>• Part-time or full-time virtual charter school instruction [open to students within the school district or to students in other school districts throughout the state, subject to enrollment requirements]</li> <li>• Virtual courses offered in the course code directory [open to students within the school district or to students in other school districts throughout the state]</li> <li>• Florida Virtual School instructional services</li> </ul>

		<ul style="list-style-type: none"> <li>Virtual instruction provided by a school district through a contract with an approved virtual instruction program provider [open to students within the school district or to students in other school districts throughout the state, subject to enrollment requirements]</li> </ul> <p>School district operated part-time or full-time K-12 virtual instruction programs are limited to students within the school district.</p> <p><a href="#">(F.S. 1002.455 Student eligibility for K-12 virtual instruction)</a></p> <ul style="list-style-type: none"> <li>This section is silent regarding State Board of Education rulemaking.</li> </ul> <p><b>Home Education Programs</b>  Statute permits a home education student to participate in a school district program or service. The following options are enumerated in statute: participate in interscholastic extracurricular student activities; the Bright Futures Scholarship Program; and dual enrollment programs. In addition, home education program students may access testing and evaluation services at diagnostic and resource centers. In addition, industry certifications offered by a school district are required to be available to home education program students. Statute also authorizes a school district to provide specified services to home education program students, subject to district discretion and criteria, including exceptional student education-related services (for a student with a disability); and, career and technical courses and programs.</p> <p><a href="#">(F.S. 1002.41(4-12) Home education programs)</a></p> <ul style="list-style-type: none"> <li>This section is silent regarding State Board of Education rulemaking.</li> </ul> <p><b>Private Schools</b>  Statutes regarding private schools are silent about private school students’ access to core and elective courses offered by school districts.</p>
<p><b>Virtual Course Access</b></p>	<p><b>YES</b></p> <p>The state has one or more fully accessible virtual providers</p>	<p><b>Student Eligibility for K-12 Virtual Instruction</b>  Statute establishes that all students, including home education and private school students, are eligible to participate in Florida Virtual School instructional services.</p> <p><a href="#">(F.S. 1002.455 Student eligibility for K-12 virtual instruction)</a></p> <ul style="list-style-type: none"> <li>This section is silent regarding State Board of Education rulemaking.</li> </ul> <p><b>Florida Virtual School</b>  Statute authorized the Florida Virtual School to provide full-time and part-time instruction for students in</p>

		<p>kindergarten through grade 12, and requires it to give priority to certain students, including students who need expanded access to courses in order to meet their educational goals, such as home education students.</p> <p><a href="#">(F.S. 1002.37(1) The Florida Virtual School)</a></p> <p>Florida Statute 1002.37 specifies that the State Board of Education may adopt rules it deems necessary to implement reporting requirements for the Florida Virtual School.</p>
<p><b>Extracurricular Access</b></p>	<p><b>YES</b></p> <p>Public schools must make extra/co-curricular activities available to all students that reside in their district</p>	<p>Statute limits students’ eligibility for participation in extracurricular activities to those who meet specified academic and conduct requirements, consistent with the following: Home education students, charter school students (unless such activity is provided by the student’s charter school), and Florida Virtual School full-time students are eligible to participate in extracurricular activities at the public school to which the student would be assigned or could choose to attend according to district school board policies, or may develop an agreement to participate at a private school.</p> <p><a href="#">(F.S. 1002.20(18) Extracurricular Activities)</a></p> <p>Statute establishes that eligibility requirements for students’ participation in high school athletic competition must allow a student to be “immediately eligible in the school in which he or she first enrolls each school year, the school in which the student makes himself or herself a candidate for an athletic team by engaging in practice before enrolling, or the school to which the student has transferred.</p> <p><a href="#">(F.S. 1002.20(17) Athletics; Public High School)</a></p> <ul style="list-style-type: none"> <li>• This section is silent regarding State Board of Education rulemaking.</li> </ul> <p>Statute defines “extracurricular” as any school-authorized or education-related activity occurring during or outside the regular instructional school day, and limits students’ eligibility for participation in interscholastic extracurricular student activities by establishing specific academic and conduct requirements. A student who, pursuant to district board rules, is exempt from attending a full school day must maintain the grade point average required by statute and pass each class for which the student is enrolled. Subject to eligibility criteria, an individual traditional public school student may either participate in any such activity at any public school in the school district in which the student resides or develop an agreement to participate in such activity at a private school, unless the activity is provided by the student’s traditional public school.</p> <p><a href="#">(F.S. 1006.15 Student standards for participation in interscholastic and intrascholastic extracurricular student activities; regulation)</a></p> <p>Statute requires the Florida High School Athletic Association (FHSAA), in cooperation with each district school board and its member private schools, to facilitate a program in which a middle school or high school student who attends a private school is eligible to participate in an interscholastic or intrascholastic sport at a member</p>

public high school, a member public middle school, a member 6-12 public school, or a member private school, as appropriate for the private school student’s grade level, subject to criteria established in statute.

[\(F.S. 1006.15 Student standards for participation in interscholastic and intrascholastic extracurricular student activities; regulation\)](#)

- This section is silent regarding State Board of Education rulemaking.

Under legislation adopted in 2025, both home education students and students enrolled in the Florida Virtual School or another full-time online instructional program are eligible to participate on an interscholastic athletic team at any public school in the school district in which the student resides, if they meet certain criteria.

**SOURCE CITATIONS**

**Statutes**

[F.S. 1002.455 Student eligibility for K-12 virtual instruction](#)

[F.S. 1003.498 School district virtual course offerings](#)

[F.S. 1002.41 Home education programs](#)

[F.S. 1002.42 Private schools](#)

[F.S. 1002.37 The Florida Virtual School](#)

[F.S. 1002.20 K-12 student and parent rights](#)

[F.S. 1006.15 Student Standards for Participation in Interscholastic and Intrascholastic Extracurricular Student Activities; Regulation](#)

**Other Resources**

[YES Public School Your Way](#)



## Learn Everywhere in Florida

POLICY	RATING	POLICY OVERVIEW
<p>Provider Qualification Standard</p>	<p><b>NO</b> No program</p>	<p><b>Academically Challenging Curriculum to Enhance Learning (ACCEL) Options</b>                      Statute establishes the Academically Challenging Curriculum to Enhance Learning (ACCEL) as standard diploma option and requires, at a minimum, that “each school must offer the following ACCEL options: whole-grade and midyear promotion; subject-matter acceleration; virtual instruction in higher grade level subjects; and the Credit Acceleration Program under s. <a href="#">1003.4295</a>. Additional ACCEL options may include, but are not limited to, enriched science, technology, engineering, and mathematics coursework; enrichment programs; flexible grouping; advanced academic courses; combined classes; self-paced instruction; rigorous industry certifications that are articulated to college credit and approved pursuant to ss. <a href="#">1003.492</a> and <a href="#">1008.44</a>; work-related internships or apprenticeships; curriculum compacting; advanced-content instruction; and telescoping curriculum.”</p> <p><a href="#">(F.S. 1002.3105 Academically Challenging Curriculum to Enhance Learning (ACCEL) options)</a></p> <p><b>Apprenticeship Selection Procedures</b>  <a href="#">Apprenticeship Section Procedures</a> published by the Department of Education, Division of Career and Adult Education, provide guidelines for registered program sponsors to grant credit and advanced standing to apprentices, pre-apprentices entering registered. It applies to all registered apprenticeships, pre-apprenticeship and on-the-job training programs sponsored as defined in state administrative code (Chapter 6A-23 FAC) and Statute (Chapter 446 FS operating registered apprenticeship, pre-apprenticeship and on-the-job training programs.) Program sponsors have the authority to establish procedures for granting credit to participants for previous work experience and/or training.</p>
<p>Course Credit Standard</p>	<p><b>NO</b> No program</p>	
<p>Core Course Opportunities</p>	<p><b>NO</b> No program</p>	

Central State List	<b>NO</b> No program	
SOURCE CITATIONS		
<b>Statute</b>  <a href="#">F.S. 1002.3105 Academically Challenging Curriculum to Enhance Learning (ACCEL) options</a>	<b>Other State Resources</b>  <a href="#">Florida Department of Education, Apprenticeship Section Procedures</a>	



## Transportation in Florida

POLICY	RATING	POLICY OVERVIEW
<p>Open Enrollment Transit</p>	<p><b>NO</b></p>	<p>Statute requires “controlled open enrollment” which is defined as a public education delivery system that allows school districts to make student school assignments using parents’ indicated preferential educational choice as a significant factor.</p> <p><a href="#">(F.S. 1002.31(1) Controlled open enrollment; public school parental choice)</a></p> <p>Statute establishes that a school district or charter school may provide transportation to a “controlled open enrollment” student; however, there is not a transportation requirement.</p> <p><a href="#">(F.S. 1002.31(2)(a) Controlled open enrollment; public school parental choice)</a></p> <ul style="list-style-type: none"> <li>This section is silent regarding State Board of Education rulemaking.</li> </ul>
<p>Fair Transportation Access</p>	<p><b>LIMITED</b></p> <p>Equitable transportation offered to some charter OR private students</p>	<p><b>Charter School Students</b></p> <p>Statute requires a charter school to provide transportation of charter students consistent with the requirements of subpart <a href="#">I.E. of chapter 1006</a> (Transportation of Public K-12 Students) and s. <a href="#">1012.45</a> (which establishes requirements and duties of school bus drivers). The charter school’s governing body may enter into an agreement or contract with the sponsor, a private provider, or parents to provide transportation. The school and sponsor “shall cooperate in making arrangements that ensure that transportation is not a barrier to equal access for all students residing within a reasonable distance of the charter school as determined in its charter.”</p> <p><a href="#">(F.S. 1002.33(20) Charter schools)</a></p> <p><b>Nonpublic Students</b></p> <p>There are no similar statutory provisions requiring transportation services for nonpublic students.</p>

<p><b>Vehicle Flexibility</b></p>	<p><b>LIMITED</b></p>	<p><b>Safety and Health of Students Being Transported</b></p>
	<p>Only for student activities, not to / from school</p>	<p>Statute requires district boards (as well as charter schools) to meet all State Board of Education rules pertaining to transportation (including routing buses, appointing drivers, and providing and operating equipment). It permits a district school board to authorize the transportation of students in privately owned motor vehicles on a case-by-case basis.</p>
		<p><a href="#">(F.S. 1006.22 Safety and health of students being transported)</a></p>
		<ul style="list-style-type: none"> <li>• Florida Statute 1006.22 specifies that the State Board of Education may adopt rules to implement this section as are necessary to protect student health and safety.</li> </ul>
		<p><b>Florida School Bus Specifications</b></p>
		<p>Pursuant to <a href="#">Florida School Bus Specifications, Effective January 1, 2023</a>, “[A]ll public school buses (bodies and chassis) owned, operated, rented, leased, and contracted for by any public school board or charter school in Florida, used to transport children to and from school or school-related events, and purchased after the effective date of this document, as specified in rule 6A-3.003, F.A.C., must:</p>
		<ol style="list-style-type: none"> <li>1. Meet or exceed the minimum requirements of these specifications;</li> <li>2. Meet all applicable Federal Motor Vehicle Safety Standards (FMVSS); and</li> <li>3. Meet or exceed the 2015 National School Transportation Specifications and Procedures (also referred to herein as the 2015 National Specifications), except when in conflict with the requirements herein. In such cases, the requirements specified in this document shall prevail.”</li> </ol>
		<p>No exemptions or other flexibility from these requirements are defined.</p>

**SOURCE CITATIONS**

Statutes	Administrative Code	Other State Resources	Other Resources
<p><a href="#">F.S. 1002.31 Controlled open enrollment; public school parental choice</a></p>	<p><a href="#">Rule 6A-3 Transportation</a></p>	<p><a href="#">Florida Department of Education, School Choice</a></p>	<p><a href="#">4Mativ research deck</a></p>
<p><a href="#">F.S. 1002.33 Charter Schools</a></p>		<p><a href="#">FLDOE – Florida School Buss Specifications, Effective January 1, 2023</a></p>	<p><a href="#">ECS Open Enrollment</a></p>
<p><a href="#">F.S. 1006.22 Safety and health of students being transported</a></p>			

