

## Introduction

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

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

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

This report will focus on the actions taken by FDOE to implement accountability measures in the scholarship programs in accordance with the corresponding statutes and rules.

This report is divided into three parts:

- Part I presents an account of the Department's actions in monitoring the compliance of participating private schools with scholarship program requirements. Specifically, this section focuses on the compliance renewal process and the enforcement of renewal deadlines specified in State Board Rule 6A-6.03315, F.A.C. Also included in this section is a brief summary of the application process for new participants and a summary of the Department's ongoing compliance monitoring activities.
- Part II discusses the Department's enforcement of accountability measures, such as the fingerprinting requirement for private school staff and contracted personnel, the norm-referenced testing of applicable scholarship students, the Department's site visits to participating private schools, the complaint and inquiry process and a summary of the Department's established communication measures and outreach activities.
- Part III explains the Department's ongoing actions regarding any new or amended State Board of Education rules, as well as legislative updates.

For questions related to the information contained in this document, please contact:

Dr. Dakeyan C. Graham, Ph. D.  
Executive Director  
Office of Independent Education and Parental Choice

Florida Department of Education  
325 W. Gaines Street, Suite 1044  
Tallahassee, FL 32399-0400

Phone: 850-245-0502

Fax: 850-245-0875

Email: [Dakeyan.Graham@fldoe.org](mailto:Dakeyan.Graham@fldoe.org)

Website: [www.floridaschoolchoice.org](http://www.floridaschoolchoice.org)

**2020 Accountability Report  
Table of Contents**

**Introduction .....1**

**Part I: Scholarship Program Compliance .....4**

    Compliance Renewal Process ..... 5

    New Schools ..... 7

    Ongoing Compliance Monitoring..... 8

    Private School Site Visits ..... 10

**Part II: Additional Accountability Measures.....11**

    Private School Employee Fingerprinting..... 12

    Norm-Referenced Assessment Requirements for State Scholarship Programs..... 13

    Complaint and Inquiry Summary ..... 15

    Communications ..... 16

    Outreach Activities ..... 18

**Part III: Legislative Updates.....20**

    CB/HB 7067- K-12 Scholarship Programs.....21

---

# **Part I**

# **Scholarship Program Compliance**

---

## **Compliance Renewal Process**

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

These requirements are specified in the Scholarship Compliance Form which is referenced as Form IEPC SCF-1 in State Board Rule 6A-6.03315, F.A.C.

One of the primary ways in which the Department implements accountability measures for private schools is through the Compliance Renewal Process. The Compliance Renewal Process is the process of annually submitting a Scholarship Compliance Form and any required supporting documentation as provided in State Board Rule 6A-6.03315, F.A.C.

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

For the 2020-2021 school year, the Compliance Renewal Process began in November 2019, at which time the 2020-2021 Scholarship Compliance Form was made available on the School Choice website at [www.floridaschoolchoice.org](http://www.floridaschoolchoice.org). At that time, private schools participating in the state scholarship programs were able to begin submitting renewal documentation in order to establish eligibility for the upcoming school year.

### **Renewal Deadlines**

State Board Rule 6A-6.03315, F.A.C., requires renewing private schools to postmark and mail the Scholarship Compliance Form by March 1 of each year in order to be eligible to participate in scholarship programs for the subsequent school year. Following timely submission of the Scholarship Compliance Form, the participating private school must resolve any outstanding compliance issues, including the submission of supporting compliance documentation on or before May 1 in order to remain eligible to participate. Due to the COVID-19 pandemic, compliance renewal deadlines were extended to June 30, 2020, to allow schools more time to provide documentation for compliance, and continue participation in our Scholarship Programs for the upcoming year.

### **Notifications**

The Department began notifying participating private schools about the compliance deadlines in November 2019. The Department's efforts to notify participating private schools about the Compliance Renewal Process for the 2020-2021 school year included a letter and checklist of the documentation needed to renew; regular

posting of information on the School Choice website; regular email notifications; and ongoing communication through the customer service call center and regional managers.

### **Private School Eligibility**

Renewing private schools that failed to meet the compliance deadline established in State Board Rule 6A-6.03315, F.A.C., and subsequently delayed due to COVID-19, were issued a Notice of Proposed Action revoking the school's eligibility to participate for the upcoming school year. The Notice of Proposed Action is issued in the form of an Administrative Complaint executed by the Commissioner of Education.

A total of 2,136 schools requested compliance renewal for the 2020-2021 school year. Of the 2,136 schools, 1,962 schools timely submitted the required documentation in order to meet compliance requirements and were able to renew their participation in scholarship programs. The Department worked with the remaining 174 schools on establishing and maintaining eligibility. Of the 174 remaining schools, two schools were denied eligibility to participate for the 2020-2021 school year for failure to meet the compliance renewal deadlines.

## **New Schools**

State Board Rule 6A-6.03315, F.A.C., defines a new school as a private school that did not have scholarship students during the current or previous school year. Beginning with the 2019-20 school year, a new school must submit a signed and notarized Scholarship Compliance Form no later than October 1, and all outstanding compliance issues, including the submission of required documentation, are to be resolved by December 1. Furthermore, a new school is not eligible to receive scholarship payments until a satisfactory site visit has been conducted.

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

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

A total of 99 new private schools began participating in scholarship programs during the period of November 1, 2019, to October 31, 2020

## Ongoing Compliance Monitoring

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

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

### **Maintaining a Physical Location**

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

During the period of November 1, 2019, to October 31, 2020, the Commissioner of Education issued Administrative Complaints immediately suspending the eligibility of four private schools for failure to maintain an approved physical location. The reasons for suspension included failure to provide sufficient health or fire inspection documentation and failure to update documentation after a change in location. Upon notice, three of the four schools immediately provided the necessary documentation to continue participation in the scholarship programs and had their suspensions rescinded. At the time this report was filed, one school remains suspended from scholarship participation. No schools were removed from participation in scholarship programs.

### **Demonstrating Fiscal Soundness**

Section 1002.421(1)(f)1., F.S., requires a participating private school in operation for less than three years to demonstrate fiscal soundness by obtaining a surety bond or letter of credit for the amount equal to the scholarship funds for any quarter. There were 22 private schools with fiscal soundness documentation less than the amount of scholarship funds the school received for any one quarter during the 2019-2020 school year, resulting in 22 Notices of Noncompliance. As of October 31, 2020, the remaining 22 schools were able to provide documentation to rescind their notice and maintain their participation in scholarship programs.

### **Failure to Return Funds**

In accordance with State Board Rules 6A-6.0970 and 6A-6.0952, F.A.C., related to the McKay and Family Empowerment Scholarship Programs, private schools are responsible for the return of all scholarship funds received in error. Failure to return the funds to the Department or to provide a sufficient explanation detailing why the funds were properly retained 30 days after notification from the Department results in the initiation of noncompliance procedures. During the period of November 1, 2019, to October 31, 2020, the Commissioner issued 106 Notices of Noncompliance for failure to return McKay scholarship funds received in error and 23 Notices of Noncompliance for failure to return Family Empowerment scholarship funds received in error. The Department worked with the schools to return scholarship funds, and no schools were suspended from scholarship participation.



### **Fraudulent Activity**

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

During the period of November 1, 2019, to October 31, 2020, the Commissioner of Education did not issue any Administrative Complaints immediately suspending the eligibility based upon probable cause of fraudulent activity.

### **Agreed-Upon Procedures**

Beginning with the 2018-2019 school year and pursuant to s. 1002.421(1)(q), F.S., private schools that receive \$250,000 or more in Florida Tax Credit, Gardiner, McKay, Hope and Family Empowerment Scholarship funds during the state fiscal year are required to submit a report from an independent certified public accountant. This accountability report focuses on the use of the scholarship money and the financial procedures the school has in place.

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

During the 2019-2020 school year there were 1,185 participating private schools required to submit the report to Step Up for Students, 9 private schools required to submit the report to AAA Scholarship Foundation and 17 private schools required to submit the report to the Department.

Of the 1,185 reports, Step Up for Students reported that 665 submitted a report with no material exceptions; 311 submitted a report with material exceptions, 307 of which were with previous year material exceptions and were directed to create a corrective action plan; and 48 schools submitted incomplete reports. A total of 78 schools did not file any report.

At the time of the filing of this report, both the Department and Step Up for Students are working with the remaining 78 schools to ensure their continued compliance with this requirement.

Of the nine reports submitted to AAA Scholarship Foundation, three submitted a report with no material exceptions; 6 submitted a report with material exceptions, all of which were with previous year material exceptions and were directed to create a corrective action plan.

Of the 17 reports to be submitted to the Department, 16 have been received. The Department continues to work with the remaining school to ensure their continued compliance with this requirement.

## Private School Site Visits

Section 1002.421(2)(a)6., F.S., states the Department shall conduct site visits to private schools entering a state scholarship program for the first time. Beginning in the 2019-2020 school year, a private school will not be eligible to receive scholarship payments until a satisfactory site visit has been conducted and the school is found to be in compliance with all other requirements of s. 1002.421(1), F.S. The sole purpose of a site visit is to verify the information reported by the school concerning facility and safety documents, the enrollment and attendance of students, teacher credentials, background screenings and fingerprint results of teachers and administrators. Additionally, s. 1002.421(2)(b), F.S., authorizes the Department to conduct site visits to any private school participating in a scholarship program that has received a Notice of Noncompliance or a Notice of Proposed Action within the previous two years, or received a complaint about a violation of state law or State Board Rule pursuant to s. 1002.421(2)(a)3., F.S.

The Department began conducting site visits for the 2019-2020 school year in November 2019. One-hundred and twenty-two private schools were formally notified of the site visit via postal mail and e-mail. Each site visit was conducted by one to three staff members from the Office of Independent Education and Parental Choice.

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

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

Of the 122 private schools visited, 74 were found to be fully compliant while staff was on-site. An additional 16 schools resolved their issues before a Site Visit Report could be sent. Twenty-four of the 122 schools were issued a Site Visit Report detailing issues to resolve in order to become fully compliant. Sixteen of these 24 schools resolved their issues in a timely manner, but 8 did not and were issued a Notice of Non-Compliance (NNC). Reasons for issuing a NNC included: incomplete documentation of teacher qualifications and background screening results, insufficient evidence of required student records, and missing or insufficient compliance documentation for the physical location of the school. The Department worked with all remaining 8 schools with a NNC to become compliant, and all issues were resolved.

---

## **Part II**

# **Additional Accountability Measures**

---

## **Private School Employee Fingerprinting**

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

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

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

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

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

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

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

## **Norm-Referenced Assessment Requirements for State Scholarship Programs**

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

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

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

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

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

On March 23, 2020, Commissioner Corcoran executed Emergency Order 2020-EO-01, waiving the requirement for private schools with scholarship students to administer or cooperate in the administration of K-12 state assessments and the requirement that the students participate in norm-referenced assessments for the remainder of the 2019-2020 school year. Furthermore, the requirement to report the results of these cancelled or waived assessments to Learning Systems Institute was also necessarily waived.

### **Identification of Approved Tests**

Looking ahead, the following norm-referenced assessments were approved by the Department for use during the 2020-2021 school year.

1. ACT Aspire
2. Basic Achievement Skills Inventory-Comprehensive Version
3. Comprehensive Testing Program 5 (CTP 5)
4. Comprehensive Testing Program Online
5. Curriculum Associates – i-Ready Assessments (approved for grades 3-12 only)
6. Educational Development Series (EDSERIES), Forms J and K

7. Iowa Assessments-Core Battery, Forms E, F, and G
8. Iowa Tests of Basic Skills (ITBS)-Core Battery, Forms A and B
9. Iowa Tests of Basic Skills (ITBS)-Core Battery, Form C
10. Iowa Tests of Basic Skills (ITBS)-Complete Battery, Form C
11. Iowa Tests of Educational Development® (ITED®), Form C
12. Kaufman Test of Educational Achievement Third Edition, Comprehensive Form (KTEA-III)
13. NWEA Measures of Academic Progress (MAP)
14. Pivot INSPECT Summative Assessment
15. PSAT/NMSQT®
16. Scantron Performance Series
17. Stanford Achievement Test, Tenth Edition (Stanford 10) – [Must use 2018 updated norms]
18. STAR (Math Enterprise, Reading Enterprise)
19. TerraNova, Third Edition (TerraNova 3)
20. Wide Range Achievement Test, Fourth Edition (WRAT4)

## Complaint and Inquiry Summary

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

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

The Department’s complaint and inquiry process is codified in State Board Rule 6A-6.03315, F.A.C., and tracked through an administrative function on the School Choice website. Below is the complaint and inquiry summary for the period of November 1, 2019, to October 31, 2020:

<u>Action</u>	<u>Total</u>
Legally Sufficient – Inquiry	48
Not Legally Sufficient	33
Total Signed Complaint Forms Received	81

A total of 81 written formal complaints were submitted to the Department from November 1, 2019, to October 31, 2020. Thirty-three of the total written formal complaints were found to be not legally sufficient. 43 of the 48 legally sufficient inquiries have been resolved either by the subject demonstrating compliance with program requirements or by the Department requiring the school to take corrective action. At the time this report was filed, five inquiries opened before October 31, 2020, remained opened. None of these inquiries were referred to the Office of the Inspector General.

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

## Communications

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

### **Toll-Free Hotline**

As required by s. 1002.421(2)(a)2., F.S., the Office of Independent Education and Parental Choice operates a toll-free hotline with five part-time staff including three customer service representatives fluent in Spanish. Customer service representatives are available to answer incoming questions and concerns and refer callers to the appropriate staff if necessary. During the period of November 1, 2019, to October 31, 2020, the Customer Service Center received 21,495 live phone calls, 8,856 voicemails and 12,775 emails. In addition to receiving calls, customer service representatives are also utilized to make proactive calls to participating private schools reminding them of approaching compliance deadlines.

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

### **Regional Managers**

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

During the period of November 1, 2019, to October 31, 2020, the seven regional managers collectively handled 10,308 live phone calls and 10,118 voicemails. Regional managers also responded to 84,091 emails from private schools, parents and school districts.

### **School Choice Website**

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

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



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

### **Intent Confirmation Letters**

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

Parents were able to file intent for the 2020-2021 school year beginning February 1, 2020. Since this date, an average of 2,185 McKay Student Intent forms were filed each month. Intent Confirmation Notifications were sent to parents each week.

### **Newsletters**

Ten School Choice Scholarship Program newsletters were emailed to scholarship-approved private schools between November 1, 2019, and October 31, 2020. Each Scholarship Program Newsletter contains reminders of upcoming events and deadlines, articles about Department procedures related to scholarship program participation and compliance, helpful hints for successful demonstration of compliance, notices of new requirements, detailed NRT information, Department contact information and a chart of McKay Scholarship Program deadlines. Newsletters were emailed in November 2019, December 2019, January 2020, February 2020, March 2020, April 2020, May 2020, June 2020, September 2020 and October 2020. These newsletters are also posted and archived on the scholarship program website in PDF format.

Four Scholarship Program Parent Newsletters were also distributed to parents that either applied for, or were currently participating in the McKay Scholarship Program. In summer and fall of 2019, parents of students currently enrolled in the McKay Scholarship received information on how to keep their information up to date with the IEPC office, parent responsibilities, changes to the scholarship program and eligibility and re-enrollment procedures. In spring and summer of 2020, parents of new McKay Scholarship students received information regarding program deadlines, affidavit requirements, payment information and tips for parents new to the program. All four newsletters were distributed via email.

### **Web Tutorial Videos**

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

## **Outreach Activities**

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

### **RedefinED Podcast**

The Office of Independent Education and Parental Choice participated in the RedefinED Podcast, held virtually on April 24, 2020. Dr. Dakeyan Graham, Executive Director, was a guest speaker and spoke about the importance of choice in education.

### **The Family Café**

The Family Café is held each year to bring together thousands of people with disabilities and their family members for three days of education and networking. This year's event was held virtually from June 5-7, 2020. The Department submitted a slide show presentation to provide information about our K-12 Scholarship Programs.

### **Florida Catholic Conference**

The Florida Catholic Conference was held June 18, 2020 in Tallahassee, FL. Staff from the School Choice office attended the meeting and provided information on the Department's response to COVID-19.

### **ExcelinEd Conference**

Deputy Executive Director Laura Mazyck, spoke at a conference held by ExcelinEd on August 20, 2020, in regards to choices in education in Florida.

### **Conference-Office of Nonpublic Education**

The School Choice office attended an Office of Nonpublic Education conference held on September 23, 2020 in regards to our K-12 Scholarship Programs, and the approval of new program rules.

### **Webinars:**

- May 6, 2020: **Office of Independent Education & Parental Choice Webinar** – The Office of Independent Education and Parental Choice held a webinar presenting guidance on K-12 private school closures based on recommendations provided by the Center for Disease Control and Prevention (CDC), scholarship compliance and payments, as well as scholarship students and virtual education.

- May 20, 2020: **Title II, Part A: State Level Equitable Services Consultation Call** – The Office of Independent Education and Parental Choice attended this consultation call in regards to the Uniform Grant Guidance and monitoring local educational agency (LEA) functions and activities for programs under the Elementary and Secondary Education Act (ESEA).
- June 12, 2020: **Coronavirus Aid, Relief, and Economic Security (CARES) Act Webinar** – Executive Director Dr. Dakeyan Graham presented on the CARES Act funding, Elementary and Secondary School Emergency Relief (ESSER), and Governor’s Emergency Education Relief (GEER) Fund under the Coronavirus Aid, and details about budget and the application.
- August 20, 2020: **Reopening Update with Private Schools Webinar** – The School Choice office presented on the reopening of private schools to provide guidance on best practices for reopening schools amidst COVID-19.

---

## **Part III**

# **Legislative Updates**

---

## CS/HB 7067 — K-12 Scholarship Programs

**Became Effective July 1, 2020**

### **Family Empowerment Scholarship (FES):**

- Established a priority order for the award of an FES, and removed the requirement that the scholarship be awarded on a first-come, first-served basis. The priority order for award of an FES, as established in the bill, is as follows:
  - A student who received an FES during the previous school year.
  - A student who received an FTC scholarship in the previous school year but did not receive a renewal scholarship because of a lack of funds, and meets other FES eligibility requirements.
  - A student whose household income does not exceed 185 percent of the federal poverty level, or is placed in foster care or in-home care; and spent the prior year in full-time attendance at a Florida public school.
  - A student who whose household income does not exceed 185 percent of the federal poverty level, or is placed in foster care or in-home care; and is eligible to enroll in kindergarten.
  - A student who is in a household with an income level that does not exceed 300 percent of the federal poverty level, or an adjusted maximum; and, in priority order, spent the prior year in full-time attendance at a Florida public school; or is eligible to enroll in kindergarten.
- Required the Department to set deadlines for receipt of initial applications and renewal notifications, and for eligible nonprofit scholarship-funding organizations (SFOs) to verify student eligibility.
- Allowed the maximum household income level (currently set at 300% of the federal poverty level) to increase by 25% in any year following a fiscal year in which more than 5% of available FES scholarships are not awarded.
- Changed the annual growth of the FES from 0.25% to 1.0% of the state's total public school enrollment, starting in the 2020-2021 school year.
- Required the Department to maintain and publish a list of identified nationally norm-referenced tests for purposes of satisfying the FES program testing requirement.
- Required each private school to, by August 15 of each year, report the test scores of all participating students to a state university for the purpose of annual reporting of performance data.

### **Florida Tax Credit Scholarship (FTC):**

- Specified that a student receiving an FTC scholarship remains eligible until high school graduation or age 21, regardless of the student's household income level.
- Required each Scholarship Funding Organization (SFO) to use all available funds under the FTC scholarship program and the Hope Scholarship Program for renewal FTC scholarships, prior to awarding initial scholarships.
- Required each SFO to refer any student who does not receive a renewal FTC scholarship because of a lack of available funds to another SFO that may have funds available.

### **Hope Scholarship (HSP):**

- Specified that an SFO that uses excess contributions to the Hope Scholarship Program (HSP) to fund FTC scholarships must prioritize renewal scholarships before awarding any initial scholarships.