

Fiscal Year 2025-2026 Conforming Bill
Relating to K-12 Education Funding

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1 A bill to be entitled
2 An act relating to K-12 Education Funding; amending s.
3 1002.394, F.S.; revising funding requirements for the
4 Family Empowerment Scholarship Program; amending s.
5 1011.62, F.S.; revising provisions relating to the Florida
6 Education Finance Program; revising the calculation of the
7 annual allocation to school districts and scholarships;
8 and providing an effective date.
9

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

11
12 Section 1. Subsection (12) of section 1002.394, Florida
13 Statutes, is amended to read:

14 1002.394 The Family Empowerment Scholarship Program.-

15 (12) SCHOLARSHIP FUNDING AND PAYMENT.-

16 (a)1. The calculated scholarship amount for a participating
17 student determined eligible pursuant to paragraph (3)(a) shall
18 be based upon the grade level and school district in which the
19 student was assigned as 100 percent of the funds per unweighted
20 full-time equivalent in the Florida Education Finance Program
21 for a student in the basic program established pursuant to s.
22 1011.62(1)(c)1., plus a per-full-time equivalent share of funds
23 for the categorical programs established in s. 1011.62(5), and
24 (7)(a), ~~and (16)~~, as funded in the General Appropriations Act.
25 In addition, the calculation of the scholarship amount shall
26 include multiplying the maximum allowable nonvoted discretionary
27 millage for operations pursuant to s. 1011.71(1) and (3) by the

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28 value of 96 percent of the current year's taxable value for
29 school purposes for the school district where the student is
30 reported for purposes of the Florida Education Finance Program
31 as appropriated in the General Appropriations Act; divide the
32 result by the school district's total unweighted full-time
33 equivalent membership as appropriated in the General
34 Appropriations Act; and multiply the result by the total
35 unweighted full-time equivalent membership associated with the
36 number of Family Empowerment Scholarship students. The prior
37 year's base amount shall be adjusted based on changes in the
38 eligible number of unweighted full-time equivalent membership
39 associated with the number of Family Empowerment Scholarship
40 students.

41 2.a. For renewing scholarship students, the organization
42 must verify the student's continued eligibility to participate
43 in the scholarship program at least 30 days before each payment.
44 Upon receiving the verified list of eligible scholarship
45 students, the department shall release, from state funds only,
46 the amount calculated pursuant to subparagraph 1. to the
47 organization for deposit into the student's account in quarterly
48 payments no later than August 1, November 1, February 1, and
49 April 1 of each school year in which the scholarship is in
50 force.

51 b. For new scholarship students, the organization must
52 verify the student's eligibility to participate in the
53 scholarship program at least 30 days before each payment. Upon
54 receiving the verified list of eligible scholarship students,

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55 the department shall release, from state funds only, the amount
56 calculated pursuant to subparagraph 1. to the organization for
57 deposit into the student's account in quarterly payments no
58 later than September 1, November 1, February 1, and April 1 of
59 each school year in which the scholarship is in force. For a
60 student exiting a Department of Juvenile Justice commitment
61 program who chooses to participate in the scholarship program,
62 the amount calculated pursuant to subparagraph 1. must be
63 transferred from the school district in which the student last
64 attended a public school before commitment to the Department of
65 Juvenile Justice.

66 c. The department is authorized to release the state funds
67 contingent upon verification that the organization will comply
68 with s. 1002.395(6)(1) based upon the organization's submitted
69 verified list of eligible scholarship students pursuant to s.
70 1002.395.

71 3. The initial payment shall be made after the
72 organization's verification of admission acceptance, and
73 subsequent payments shall be made upon verification of continued
74 enrollment and attendance at the participating private school.
75 Payments for tuition and fees for full-time enrollment shall be
76 made within 7 business days after approval by the parent
77 pursuant to paragraph (10)(a) and the private school pursuant to
78 paragraph (9)(b). Payment must be by funds transfer or any other
79 means of payment that the department deems to be commercially
80 viable or cost-effective. An organization shall ensure that the

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81 parent has approved a funds transfer before any scholarship
82 funds are deposited.

83 4. An organization may not transfer any funds to an account
84 of a student determined eligible pursuant to paragraph (3) (a)
85 which has a balance in excess of \$24,000.

86 (b)1. For the 2024-2025 school year, the maximum number of
87 scholarships funded under paragraph (3) (b) shall be 72,615.
88 Beginning in the 2025-2026 school year, the maximum number of
89 scholarships funded under paragraph (3) (b) shall annually
90 increase by 5 percent of the state's total exceptional student
91 education full-time equivalent student membership, not including
92 gifted students. The maximum number of scholarships funded shall
93 increase by 1 percent of the state's total exceptional student
94 education full-time equivalent student membership, not including
95 gifted students, in the school year following any school year in
96 which the number of scholarships funded exceeds 95 percent of
97 the number of available scholarships for that school year. An
98 eligible student who meets any of the following requirements
99 shall be excluded from the maximum number of students if the
100 student:

101 a. Received specialized instructional services under the
102 Voluntary Prekindergarten Education Program pursuant to s.
103 1002.66 during the previous school year and the student has a
104 current IEP developed by the district school board in accordance
105 with rules of the State Board of Education;

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106 b. Is a dependent child of a law enforcement officer or a
107 member of the United States Armed Forces, a foster child, or an
108 adopted child; or

109 c. Spent the prior school year in attendance at a Florida
110 public school or the Florida School for the Deaf and the Blind.
111 For purposes of this subparagraph, the term "prior school year
112 in attendance" means that the student was enrolled and reported
113 by:

114 (I) A school district for funding during either the
115 preceding October or February full-time equivalent student
116 membership surveys in kindergarten through grade 12, which
117 includes time spent in a Department of Juvenile Justice
118 commitment program if funded under the Florida Education Finance
119 Program;

120 (II) The Florida School for the Deaf and the Blind during
121 the preceding October or February full-time equivalent student
122 membership surveys in kindergarten through grade 12;

123 (III) A school district for funding during the preceding
124 October or February full-time equivalent student membership
125 surveys, was at least 4 years of age when enrolled and reported,
126 and was eligible for services under s. 1003.21(1)(e); or

127 (IV) Received a John M. McKay Scholarship for Students with
128 Disabilities in the 2021-2022 school year.

129 2. For a student who has a Level I to Level III matrix of
130 services or a diagnosis by a physician or psychologist, the
131 calculated scholarship amount for a student participating in the
132 program must be based upon the grade level and school district

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133 in which the student would have been enrolled as the total funds
134 per unweighted full-time equivalent in the Florida Education
135 Finance Program for a student in the basic exceptional student
136 education program pursuant to s. 1011.62(1)(c) and (d), plus a
137 per full-time equivalent share of funds for the categorical
138 programs established in s. 1011.62(5), (7)(a), and (8), ~~and~~
139 ~~(16)~~, as funded in the General Appropriations Act. For the
140 categorical program established in s. 1011.62(8), the funds must
141 be allocated based on the school district's average exceptional
142 student education guaranteed allocation funds per exceptional
143 student education full-time equivalent student. In addition, the
144 calculation of the scholarship amount shall include multiplying
145 the maximum allowable nonvoted discretionary millage for
146 operations pursuant to s. 1011.71(1) and (3) by the value of 96
147 percent of the current year's taxable value for school purposes
148 for the school district where the student is reported for
149 purposes of the Florida Education Finance Program as
150 appropriated in the General Appropriations Act; divide the
151 result by the school district's total unweighted full-time
152 equivalent membership as appropriated in the General
153 Appropriations Act; and multiply the result by the total
154 unweighted full-time equivalent membership associated with the
155 number of Family Empowerment Scholarship students. The prior
156 year's base amount shall be adjusted based on changes in the
157 eligible number of unweighted full-time equivalent membership
158 associated with the number of Family Empowerment Scholarship
159 students.

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160 3. For a student with a Level IV or Level V matrix of
161 services, the calculated scholarship amount must be based upon
162 the school district to which the student would have been
163 assigned as the total funds per full-time equivalent for the
164 Level IV or Level V exceptional student education program
165 pursuant to s. 1011.62(1)(c)2.a. or b., plus a per-full time
166 equivalent share of funds for the categorical programs
167 established in s. 1011.62(5), and (7)(a), and ~~(16)~~, as funded in
168 the General Appropriations Act. In addition, the calculation of
169 the scholarship amount shall include multiplying the maximum
170 allowable nonvoted discretionary millage for operations pursuant
171 to s. 1011.71(1) and (3) by the value of 96 percent of the
172 current year's taxable value for school purposes for the school
173 district where the student is reported for purposes of the
174 Florida Education Finance Program as appropriated in the General
175 Appropriations Act; divide the result by the school district's
176 total unweighted full-time equivalent membership as appropriated
177 in the General Appropriations Act; and multiply the result by
178 the total unweighted full-time equivalent membership associated
179 with the number of Family Empowerment Scholarship students. The
180 prior year's base amount shall be adjusted based on changes in
181 the eligible number of unweighted full-time equivalent
182 membership associated with the number of Family Empowerment
183 Scholarship students.

184 Section 2. Subsections (16) and (18) of section 1011.62,
185 Florida Statutes, are amended to read:

186 1011.62 Funds for operation of schools.-

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187 (16) SCHOLARSHIP FUNDING ALLOCATION~~STATE-FUNDED~~
188 ~~DISCRETIONARY SUPPLEMENT.~~—

189 (a) The scholarship funding allocation ~~state-funded~~
190 ~~discretionary supplement~~ is created to fund the ~~nonvoted~~
191 ~~discretionary millage for operations pursuant to s. 1011.71(1)~~
192 ~~and (3) for students awarded a Family Empowerment Scholarship in~~
193 ~~accordance with s. 1002.394. The scholarship funding allocation~~
194 ~~shall be calculated pursuant to s. 1002.394(12), Florida~~
195 ~~Statutes, and any Department of Education scholarship payment~~
196 ~~adjustments necessary to comply with the provisions of s.~~
197 ~~1002.394. To calculate the state-funded discretionary supplement~~
198 ~~for inclusion in the amount of the scholarship funding:~~

199 1. ~~For fiscal year 2023-2024, multiply the maximum~~
200 ~~allowable nonvoted discretionary millage for operations pursuant~~
201 ~~to s. 1011.71(1) and (3) by the value of 96 percent of the~~
202 ~~current year's taxable value for school purposes for the school~~
203 ~~district where the student is reported for purposes of the~~
204 ~~Florida Education Finance Program as appropriated in the General~~
205 ~~Appropriations Act; divide the result by the school district's~~
206 ~~total unweighted full-time equivalent membership as appropriated~~
207 ~~in the General Appropriations Act; and multiply the result by~~
208 ~~the total unweighted full-time equivalent membership associated~~
209 ~~with the number of Family Empowerment Scholarship students~~
210 ~~included in the school district's total unweighted full-time~~
211 ~~equivalent membership. A base amount as specified in the General~~
212 ~~Appropriations Act shall be added to this amount for purposes of~~
213 ~~calculating the total amount of the supplement.~~

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214 ~~2. Beginning in fiscal year 2024-2025 and thereafter,~~
215 ~~multiply the maximum allowable nonvoted discretionary millage~~
216 ~~for operations pursuant to s. 1011.71(1) and (3) by the value of~~
217 ~~96 percent of the current year's taxable value for school~~
218 ~~purposes for the school district where the student is reported~~
219 ~~for purposes of the Florida Education Finance Program as~~
220 ~~appropriated in the General Appropriations Act; divide the~~
221 ~~result by the school district's total unweighted full-time~~
222 ~~equivalent membership as appropriated in the General~~
223 ~~Appropriations Act; and multiply the result by the total~~
224 ~~unweighted full-time equivalent membership associated with the~~
225 ~~number of Family Empowerment Scholarship students. The prior~~
226 ~~year's base amount shall be adjusted based on changes in the~~
227 ~~eligible number of unweighted full-time equivalent membership~~
228 ~~associated with the number of Family Empowerment Scholarship~~
229 ~~students.~~

230 ~~(b) The state-funded discretionary supplement shall be~~
231 ~~recalculated during the fiscal year pursuant to paragraph~~
232 ~~(1)(a). If the recalculated amount is greater than the amount~~
233 ~~provided in the General Appropriations Act, the allocation shall~~
234 ~~be prorated to the level provided to support the appropriation,~~
235 ~~based on each school district's proportionate share of the total~~
236 ~~allocation.~~

237 (18) EDUCATIONAL ENROLLMENT STABILIZATION PROGRAM.—

238 (a) The educational enrollment stabilization program is
239 created to provide supplemental state funds as needed to fully
240 fund the Scholarship Funding Allocation pursuant to s. 1011.62

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241 ~~(16) maintain the stability of the operations of public schools~~
242 ~~in each school district and to protect districts, including~~
243 ~~charter schools, from financial instability as a result of~~
244 ~~changes in full-time equivalent student enrollment throughout~~
245 ~~the school year. This program shall be implemented to the extent~~
246 ~~funds are available.~~

247 (b) The Legislature may ~~shall~~ annually appropriate funds in
248 the General Appropriations Act to the Department of Education
249 for this program ~~in an amount necessary to maintain a projected~~
250 ~~minimum balance of \$250 million at the beginning of the upcoming~~
251 ~~fiscal year.~~ The Department of Education shall use available
252 ~~funds as appropriated~~ to ensure that based on each recalculation
253 of the Florida Education Finance Program pursuant to paragraph
254 (1) (a), and any Department of Education payment adjustments to
255 comply with the provisions of s. 1002.394, to ensure that there
256 is sufficient funding to fully fund the Scholarship Funding
257 Allocation pursuant to s. 1011.62 (16). ~~a school district's~~
258 ~~funds per unweighted full-time equivalent student are not less~~
259 ~~than the greater of either the school district's funds per~~
260 ~~unweighted full-time equivalent student as appropriated in the~~
261 ~~General Appropriations Act or the school district's funds per~~
262 ~~unweighted full-time equivalent student as recalculated based~~
263 ~~upon the receipt of the certified taxable value for school~~
264 ~~purposes pursuant to s. 1011.62(4).~~

265 (c) Notwithstanding s. 216.301 and pursuant to s. 216.351,
266 the unexpended balance of funds appropriated pursuant to this
267 subsection which is not disbursed by June 30 of the fiscal year

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268 | in which the funds are appropriated may be carried forward for
269 | up to 10 years after the effective date of the original
270 | appropriation.

271 | Section 3. This act shall take effect July 1, 2025.