



2021 Legislative Session - House Bill 7045

On May 11, 2021, Governor DeSantis signed House Bill 7045 into law, resulting in several changes to the state funded scholarship programs, including an extensive expansion of the Family Empowerment Scholarship Program. Our office is working closely with the scholarship funding organizations, AAA Scholarship Foundation and Step Up For Students, to ensure appropriate and effective implementation of these changes. We know you are eager to learn what these changes mean for you and your families, as **these changes take effect July 1, 2021.**

Family Empowerment Scholarship Program

House Bill 7045 expands the Family Empowerment Scholarship Program to include two branches of eligibility, the Family Empowerment Scholarship for Educational Options and the Family Empowerment Scholarship for Students with Disabilities. Please note the 2021 Family Empowerment Scholarship Program amounts will be made available no later than July 2021.

- **Family Empowerment Scholarship for Educational Options**

This branch of the scholarship eligibility is based on family income. The administration of this prong of the program will continue to remain the same with a few exceptions. While families are still required to apply through the scholarship funding organizations, the scholarship funding organization is responsible for determining eligibility and awarding as well as **distributing funding to eligible students.**

Below are some changes you can expect.

- Scholarship payments will come directly from the scholarship funding organization.
- The eligible household income level to 375% of the federal poverty level.
- The prior year in public eligibility requirement is removed.
- Eligibility is expanded to include dependents of US Armed Forces and siblings of students receiving a Family Empowerment Scholarship for Students with Disabilities.
- The use of funds is expanded to include costs to provide digital devices, including internet access and transportation to a different Florida public school.
- **Enrollment and re-enrollment will be handled through your scholarship funding organization.**

Private schools and families should work directly with scholarship funding organizations to enroll 2021-22 Family Empowerment Scholarship students. Current Family Empowerment Scholarship families will want to be sure they have submitted the required renewal documentation to their scholarship funding organization. Scholarship funding organizations will be in contact with families and schools regarding this process.



- **Family Empowerment Scholarship for Students with Disabilities**

Beginning with the 2021-22 school year, the Gardiner Scholarship Program will be rolled into the Family Empowerment Scholarship and will be referred to as the Family Empowerment Scholarship for Students with Disabilities.

As was done with the Gardiner Scholarship Program, students who are found eligible under this branch are able to use their funds as an education savings account. This means funding can be used beyond just tuition and fees at a private school. Families are required to apply **and renew** through the scholarship funding organizations. The scholarship funding organization is responsible for determining eligibility, awarding and distributing funding to eligible students and approving eligible expenditures.

Scholarship accounts will be funded by the Department of Education four times per year. The bill expands the use of scholarship funds while including those previously authorized under the Gardiner Scholarship Program.

Siblings of students found eligible under the Family Empowerment Scholarship for Students with Disabilities may qualify for a Family Empowerment Scholarship for Educational Options. In other words, they would not have to meet the income requirement but would be eligible for scholarship funding for tuition and fees at a Family Empowerment Scholarship approved private school.

Gardiner Scholarship Program

As mentioned above, the Gardiner Scholarship Program is now rolled into the Family Empowerment Scholarship for Students with Disabilities. While most aspects of the program, including eligibility and term of scholarship remain the same, there are some changes to be aware of.

- Expands eligible expenditures, as mentioned above.
- An account may be closed after 2 years of inactivity (*previously 3 years*).
- Accounts will be funded quarterly, as mentioned above.
- The program will now be funded through the Florida Education Finance Program and not legislatively appropriated as in past years.

What does this mean for current Gardiner Scholarship recipients?

Current Gardiner Scholarship recipients will be transitioned into the Family Empowerment Scholarship Program by their scholarship funding organization. Families are still required to renew participation through their scholarship funding organization and will want to ensure they have submitted all necessary renewal documentation.



Looking ahead...

McKay Scholarship Program

House Bill 7045 also authorized the transitioning of McKay Scholarship students into the Family Empowerment Scholarship Program for Students with Disabilities. Prior to the 2022-23 school year, our office will work closely with the scholarship funding organizations to ensure a smooth transition of McKay Scholarship students to the Family Empowerment Scholarship for Students with Disabilities. Here are some changes you can expect **beginning in the 2022-23 school year**.

- Removes the prior year in public eligibility requirement.
- Expands the use of funds beyond just private school tuition and fees, as mentioned previously.
- Families must renew each year through their scholarship funding organization.
- An account may be closed after 2 years of inactivity.

What does this mean for current McKay Scholarship recipients?

For the 2021-22 school year, McKay families will continue to work directly with the School Choice Office at the Department of Education. As we move closer to the 2022-23 school year, we will be in contact with families regarding the transition.

What does this mean for scholarship participating private schools?

Again, McKay Scholarship Program implementation *will remain the same* for the 2021-22 school year. Schools should continue working directly with their Regional Manager regarding 2021 compliance, student enrollment and funding.

Our office remains responsible for private school scholarship program compliance. Private schools must continue to comply with [Section 1002.421, Florida Statutes](#).

Private schools will be expected to work directly with scholarship funding organizations regarding Family Empowerment Scholarship students, including re-enrollment, new enrollment and funding.

What's next?

Private schools and families should continue to be on the lookout for additional information and guidance related to scholarship program changes. Our office is in the midst of updating our website to reflect these changes and appreciate your patience as we navigate through these new times.