

# FTC/FES-EO Agreed-Upon Purchasing Guidelines For School Year 2023-2024

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## INTRODUCTION

Florida state law now requires Scholarship Funding Organizations (SFOs) to prepare agreed-upon purchasing guidelines (the “guidelines”) for authorized uses of scholarship funds and to update the guidelines at least annually.

These guidelines are intended to be general in nature and to assist student’s families to remain in compliance when requesting scholarship disbursements. They are not intended to provide detailed instructions or to prescribe any particular educational programs. Because each SFO is an independent non-profit organization they each have their own policies and procedures, so it is important that you refer to your SFO’s Parent Handbook and materials for detailed information about their scholarship administration processes.

## PURCHASING POLICIES

As per Florida Statutes ss. 1002.394 & 1002.395 Family Empowerment Scholarship for Educational Options (FES-EO) and Florida Tax Credit (FTC) Scholarship (including Personalized Education Program (PEP)) funds must be used to meet the educational needs of an eligible student. Unless specifically stated, references to the FTC Scholarship include PEP.

Using a student’s scholarship funds for other purposes may violate Florida statute. For example, purchasing a product with scholarship funds, returning that product, and then spending the returned funds on items that do not meet the educational needs of the scholarship student may be against the law. Please contact your Scholarship Funding Organization (SFO) if you have questions about a financial transaction using scholarship funds prior to engaging in this transaction.

SFOs may require guardians to use an online platform for purchases provided the guardian’s choice of curriculum or academic programs is not limited. SFOs may also reimburse guardians for their purchase of eligible products or services that meet their student’s educational needs. Please verify with your SFO that a purchase is eligible for reimbursement before making the purchase. If a guardian purchases a product identical to one offered by an SFO’s online platform for a lower price, the SFO is required by law to reimburse the guardian for the cost of the product.

Per Florida Statute s. 1000.21(6), “Parent” means either or both parents of a student, any guardian of a student, any person in a parental relationship to a student, or any person exercising supervisory authority over a student in place of the parent. For the purposes of the guidelines, the term “Guardian” will be used to include all eligible parents and guardians of eligible FTC, PEP, or FES-EO students.

## GENERAL PURCHASING PROVISIONS

Product Safety: For safety reasons, SFOs may review manufacturers’ recommended minimum age use when determining if an education product is appropriate for a student.

Monetary Benefit: A family may not receive a payment, refund, or rebate of scholarship funds from a vendor.

Out-of-State Service Providers: With the exception of credentialed providers whose services may be delivered virtually (e.g., tutors, Choice Navigators), services must be delivered in Florida.

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**Refer to your SFO’s Parent Handbook for detailed information about their scholarship policies and procedures.**

Purchase Location: Purchases made online through the direct buying platform must be shipped to the Florida residential address associated with the student's scholarship account.

Prorating Payments for Multi-User Items: Other family members often use products purchased with scholarship funds. Consequently, funding for these multi-user items may be prorated to only cover the scholarship student's cost.

Pre-Authorizations: The Pre-Authorization process may be used to determine the eligibility of a purchase prior to spending funds. In some categories, Pre-Authorization is required.

Cash Purchases: Cash payments to private sellers are not eligible for reimbursement.

## ELIGIBLE EXPENSE CATEGORIES

FES-EO/FTC scholarship funds may be used to purchase the following educational products and services as outlined in ss. 1002.394(4)(a) and 1002.395(6)(d)2., Florida Statutes.

## INSTRUCTIONAL MATERIALS

### **Digital Materials**

Scholarship funds may be used to purchase digital instructional materials such as CDs, DVDs, and digital documents, including eBooks, and audiobooks. Subscription or membership access to eBooks or Audiobooks for the student are eligible.

### **Stand-Alone Online Class**

Guardians may purchase online courses that are appropriate for their scholarship student. A stand-alone online class may permit live, interactive instruction. Courses offered by a registered private school or approved VIP or Online Course Provider are not eligible under this category.

### **Internet Resources**

Internet resources include in-home internet services at the Florida residential address associated with the student's scholarship application. Modem or router rental from the internet service provider and billed with a monthly internet service may also be eligible.

### **Books**

Textbooks, workbooks, library books and other books may be eligible. Books with content that may pose a threat to the student or others or promote violence or criminal behavior are ineligible for purchase.

### **Lab Fees and Materials**

Science, math and computer lab fees and equipment and lab safety equipment may be eligible. Lab equipment that may pose a threat to the student or others or promote violence or criminal behavior are ineligible for purchase.

### **Educational Subscription Kits**

Educational Subscription Kits curated and mailed to the home by a kit company are eligible for reimbursement.

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**Refer to your SFO's Parent Handbook for detailed information about their scholarship policies and procedures.**

### Educational Software/Subscriptions

The following items may be eligible for single use/student pricing only. Reimbursements for multiuser access subscriptions will be prorated to only cover the student's cost. Eligible expenses may include:

- Software Subscriptions (Word Processing, Microsoft Office, Adobe, Video or Music Editing Software, LexisNexis, QuickBooks)
- Magazine Subscription
- Newspaper subscription

Prohibited Expenses may include but not be limited to:

- Video/TV/Online Streaming Services
- Musical Streaming Services
- In-Game Purchases or Credits
- Live Television
- Social Media (except LinkedIn Learning for Students)

### Electives

Lessons, equipment, or consumables generally associated with elective or enrichment (non-core academic subjects), may be eligible.

Eligible providers for enrichment or elective subjects should have one of the following:

- A valid or expired Florida educator's certificate.
- At least 3 years of experience in the relevant subject area as demonstrated by employment records.
- Currently enrolled in a postsecondary educational institution as a student of the relevant subject area.
- A degree from a postsecondary educational institution in the relevant subject area.
- A certification or national accreditation in the relevant subject area.

These reimbursements requests must be accompanied by educational benefit documentation.

### Physical Education

Physical Education expenses including sports lessons, fees, and equipment may be eligible.

Prohibited expenses may include but are not limited to:

- Motorized equipment (treadmills or walking pads are eligible)
- Trampolines (individual exercise trampolines are eligible)
- Vehicles, including but not limited to two-, three-, and four-wheeled vehicles
- Motorized Boats
- Motorized scooters or ride-ons (including golf carts)
- In-Ground or Above Ground Swimming Pools
- Single-admission leisure events (including equipment rental)
- Activities occurring outside of the state of Florida

### Musical Instruments & Equipment

Instruments, and equipment may be eligible. Maintenance, tuning, insurance or service agreements, and repair of instruments may be eligible.

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**Refer to your SFO's Parent Handbook for detailed information about their scholarship policies and procedures.**

### Field Trips

Field trip admission for the student only may be eligible. Family admissions reimbursements will be prorated to cover only the student's cost. A student's ticket price must be age appropriate. Tickets or admission must be purchased directly from the venue/vendor. Secondary market or resale tickets are not reimbursable.

These reimbursements requests must be accompanied by educational benefit documentation.

### At Home Classroom Furnishings

Classroom furnishing may be eligible expenses.

### School Supplies

School supplies may be eligible expenses.

### Learning Manipulatives/Creative Play Items

Items utilized for tactile learning, academic practice, or creative play may be eligible expenses.

Games or puzzles with content that may pose a threat to the student or others or that promote violence or criminal behavior are ineligible for purchase.

## CURRICULUM

"Curriculum" as defined by s. 1002.394(2), Florida Statutes is a complete course of study for a particular content area or grade level, including any required supplemental materials and associated online instruction.

For the purposes of this section, a complete course of study may include postsecondary programs aimed at career readiness or trade certification.

Curricula must be publicly available for SFOs to determine eligibility. Curricula that poses a safety threat to the student or others will not be approved.

### At Home Classroom Furnishings

Classroom furnishing may be eligible.

### School Supplies

School supplies may be eligible.

## TUITION AND FEES

### Tuition and Fees At An Eligible Private School

Tuition and fees at an eligible private school may be covered by FTC/FES-EO funds, with the exception of full-time tuition which is not an eligible expense for FTC-PEP students.

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**Refer to your SFO's Parent Handbook for detailed information about their scholarship policies and procedures.**

Not all private schools are eligible to participate. Schools must meet state eligibility criteria and elect to participate in the FTC/FES-EO program with the Florida Department of Education (FLDOE). A list of schools eligible to serve scholarship students can be found on the FLDOE's online Florida Private Schools Directory. The agreed upon amount of tuition and fees for each student is a contractual agreement between the guardian and their eligible private school. We recommend guardians communicate with their preferred private school about what is required before enrolling their student. For students utilizing the private school option for these scholarships, the SFO is obligated to commit funds on behalf of the student for tuition and fees for which the parent is responsible for payment at the private school before using scholarship funds for additional uses.

Eligible Private School fees may include but are not limited to:

- Application Fees
- Registration Fees
- Uniform Fees
- Book Fees
- Technology Fees
- Test Fees
- Graduation Fees

Prohibited Fees may include but are not limited to:

- Fundraising Fees/Donation Fees/Volunteer Waiver Fees
- Annual Funds
- Giving Funds
- Therapies or services as fees (Credentialed Services including tutoring and therapies should be billed in their categories)
- Costs associated with scholarship management
- Optional Fees

NOTE: Field Trip Fees at an Eligible Private School are reimbursable to the guardian under the Instructional Materials – Field Trip expense category.

### **Tuition & Fees for Home Education Instructional Programs For Personalized Education Program (PEP) Students**

A “Personalized Education Program” means the sequentially progressive instruction of a student directed by his or her parent in order to satisfy the attendance requirements of ss. 1003.01(13) and 1003.21(1), F.S. while registered with an eligible nonprofit scholarship funding-organization pursuant to s. 1002.395, F.S.

FTC-PEP scholarship funds may be used to pay tuition and fees for programs, courses, or classes offered to PEP students. These services must be part of the student's sequential instruction per the definition of a PEP student.

The following considerations apply when determining whether a program is an eligible home education instructional program tuition & fee expense. Eligible programs must:

- Be a program selected by the parent as a part of their home education student's parent-directed instruction. Private schools, virtual schools, and public or charter schools are not considered home education instructional programs;

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**Refer to your SFO's Parent Handbook for detailed information about their scholarship policies and procedures.**

- Provide courses and/or activities for home education students that enhance or enrich the student’s learning opportunities;
- Have publicly available/reviewable program descriptions of courses and/or activities;
- Have a published tuition and fee schedule;
- Be operated in a physical location (cannot be in online); **and**
- Be a business organization (tuition and fees may not be payable to an individual, except for regional program directors or designated liaisons of national home educational communities).

### Tuition and Fees At An Eligible Postsecondary Institution

Tuition and fees required for enrollment at an eligible postsecondary institution, or a program offered by an eligible postsecondary institution, are covered by FTC/FES-EO funds.

Eligible postsecondary institutions include:

- A Florida College System institution
- A state university
- A school district technical center
- A school district adult general education center
- An independent college or university that is eligible to participate in the William L Boyd, IV Effective Access to Student Education Grant Program under s. 1009.89
- An accredited independent postsecondary educational institution, as defined in s. 1005.02, which is licensed to operate in the state of Florida

Tuition and fee schedules must be published and made publicly available.

### Tuition and Fees For An Approved Preapprenticeship Program

Tuition and fees for an organized course of instruction designed to prepare a person 16 years of age or older to become an apprentice in a course approved by and registered with the department and sponsored by a registered apprenticeship program under s. 446.042, F.S.

Tuition and fee schedules must be published and made publicly available.

### Tuition and Fees For A Private Tutoring Program

Tuition and fees required for enrollment in an eligible Private Tutoring Program, authorized under s. 1002.43, F.S. are covered by FTC/FES-EO funds.

Requirements for approved Private Full-Time Tutors include:

- The tutor must hold a current, valid Florida teaching certificate for the subject or grade level in which they will tutor
- For grades K-3, full-time tutoring is considered 720 hours per school year
- For grades 4-12, full-time tutoring is considered 900 hours (equivalent to 180 teaching days)
- A tutor seeking to provide services must certify compliance with relevant statutes, including attendance requirements, and may need to file annually a W9 form with the appropriate SFO prior to payment, and then annually thereafter. The FLDOE may institute a standardized compliance form.

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**Refer to your SFO’s Parent Handbook for detailed information about their scholarship policies and procedures.**

A full-time private tutor receiving FTC/FES-EO funds may not serve more than 5 students at one time. However, a full-time private tutor may provide tutoring for up to 25 students if the following facility requirements are satisfied:

Private tutoring may be provided for up to 25 students in any commercial building with a valid certificate of occupancy, library, community service, museum, performing arts, theatre, cinema, or church facility; in any facility or on any land owned by a Florida College System institution or university; in any similar public institution facility; and in any facility recently used to house a school or child care facility licensed under s. 402.305 within the preexisting zoning and land use designations of the facility without obtaining a special exception, rezoning, or a land use change so long as the provision of such tutoring meets all applicable state and local health, safety, and welfare laws, codes, and rules, including those pertaining to fire safety and building safety.

Tuition and fee schedules must be published and made publicly available.

### Tuition and Fees At An Approved Online Or Virtual Provider

Tuition and fees required for enrollment at an eligible or approved online or virtual provider are covered by FTC/FES-EO funds.

Approved Online or Virtual Instruction Providers include:

- An approved private online provider under s. 1002.45(2)(a), F.S.
- A program offered by the Florida Virtual School in which the eligible student is enrolled as a private paying student. (Note: If a student is enrolled in FLVS as a public-school student, the student will be considered a public-school student and will be ineligible for a Family Empowerment Scholarship)
- An approved online course offered pursuant to ss. 1003.499 or 1004.0961, F.S.
- A private virtual school that meets the requirements of s. 1002.421, F.S.

FLDOE Approved Online Course Providers:

- Accelerate Education (Grades K-5 through 2025-26)
- EdisonLearning (Grades 6-12 through 2025-26)
- Edmentum/Apex Learning (Grades 9-12 through 2025-26)
- eDynamic Learning ULC (Grades 6-12 through 2024-25)
- Founders Education LLC (Grades 9-12 through 2025-26)
- Grade Results, Inc. (Grades K-12 through 2023-24)
- My Virtual Academy (Grades 9-12 through 2025-26)
- National Highway Safety Administration (Grades 9-12 through 2024-25)

FLDOE Approved Virtual Instruction Program (VIP) Providers

- Accel Schools East (Grades K-12 through 2023-24)
- Connections Education of Florida, LLC (Grades K-12 through 2024-25)
- Graduation Alliance (Grades 9-12 through 2023-24)
- Imagine Learning (Grades K-12 through 2024-25)
- K12 Florida (Grades K-12 through 2024-25)
- Mater Virtual Academy (Grades K-12 through 2023-24)
- OptimaEd, LLC (Grades K-9 through 2023-24)
- Somerset Virtual Academy (Grades K-12 through 2023-24)

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**Refer to your SFO's Parent Handbook for detailed information about their scholarship policies and procedures.**

### Tuition and Fees As A Private-Pay Student For The Florida Virtual School

Tuition and fees required for enrollment as a private-pay student at Florida Virtual School (FLVS) are covered by FTC/FES-EO funds.

FTC/FES-EO students utilizing Florida Virtual School (FLVS) must be enrolled as a private-pay student. If a student is enrolled in FLVS and funded as a public-school student, the student may lose eligibility and funding for FTC/FES-EO scholarship.

Tuition and fee schedules must be published and made publicly available.

### STANDARDIZED TESTING FEES

Fees associated with standardized testing or examinations are covered by FTC/FES-EO funds.

Approved standardized testing or assessments include:

- Nationally standardized, norm-referenced assessments
- Advanced Placement (AP) examinations
- Industry certification examinations
- Assessments related to postsecondary education.
- Other assessments as outlined in the scholarship Purchasing Guide

### CONTRACTED SERVICES PROVIDED BY A PUBLIC SCHOOL OR SCHOOL DISTRICT

Contracted services provided by a public district or charter school, or school district are covered by FTC/FES-EO funds.

A scholarship recipient may take courses, participate in programming (including after school, extracurricular, supplemental, or summer school programs) or receive services from a public school (including charter schools and the Florida Virtual School), if the student contracts for classes/services on a private pay basis.

There is no requirement for public or charter schools, or school districts, to contract for services with a scholarship participant. Participation is optional for the public schools and/or districts.

A student who receives contracted services under this paragraph is not considered enrolled in a public school for scholarship eligibility purposes. However, if the district reports the student for any FTE funding or other state funding, the student may lose eligibility and funding for an FTC/FES-EO scholarship.

### PART-TIME TUTORING AND CHOICE NAVIGATOR SERVICES

Tuition and fees for part-time tutoring or fees for Choice Navigator services are covered by FTC/FES-EO funds.

Part-time tutoring includes tuition and fees for services provided by a person who:

- Holds a valid Florida educator's certificate pursuant to s. 1012.56, F.S.;
  - Holds an adjunct teaching certificate pursuant to s. 1012.57, F.S.;
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**Refer to your SFO's Parent Handbook for detailed information about their scholarship policies and procedures.**

- Has a bachelor's degree or a graduate degree in the subject area in which instruction is given;
- Is certified by a nationally or internationally recognized research-based training program as approved by the department; or
- Has demonstrated a mastery of subject area knowledge pursuant to s. 1012.56(5), F.S. by one of the following ways:
  - For a subject requiring only a baccalaureate degree for which a Florida subject area examination has been developed, achievement of a passing score on the Florida developed subject area examination specified in state board rule;
  - For a subject for which a Florida subject area examination has not been developed, achievement of a passing score on a standardized examination specified in state board rule, including, but not limited to, passing scores on both the oral proficiency and written proficiency examinations administered by the American Council on the Teaching of Foreign Languages;
  - For a subject for which a Florida subject area examination has not been developed or a standardized examination has not been specified in state board rule, completion of the subject area specialization requirements specified in state board rule and verification of the attainment of the essential subject matter competencies by the district school superintendent of the employing school district or chief administrative officer of the employing state-supported or private school;
  - For a subject requiring a master's or higher degree, completion of the subject area specialization requirements specified in state board rule and achievement of a passing score on the Florida-developed subject area examination or a standardized examination that is directly related to the subject specified in state board rule;
  - Documentation of successful completion of a United States Defense Language Institute Foreign Language Center program;
  - Documentation of a passing score on the Defense Language Proficiency Test (DLPT); or
  - For a subject requiring only a baccalaureate degree for which a Florida subject area examination has been developed, documentation of receipt of a master's or higher degree from an accredited postsecondary educational institution that the Department of Education has identified as having a quality program resulting in a baccalaureate degree or higher in the certificate subject area as identified by state board rule.

Tuition and fee schedules must be published and made publicly available.

A “Choice Navigator” means an individual who meets the credentialing requirements of a Part-Time Tutor (above) and who provides consultations, at a mutually agreed upon location, on the selection of, application for, and enrollment in educational options addressing the academic needs of a student; curriculum selection; and advice on career and postsecondary education opportunities. A Choice Navigator may not oversee or exercise control over the curricula or academic programs of a student.

Fee schedules must be published and made publicly available.