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**MEMORANDUM**

**TO:** School District Superintendents

**FROM:** Jacob Oliva, Chancellor, Division of Public Schools  
  
Adam Miller, Executive Director, Office of  
Independent Education and Parental Choice

**DATE:** March 1, 2019

**SUBJECT: The Hope Scholarship Program**

**Contact Information:**

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**DPS: 2019-36**

The Florida Department of Education continues to work toward improving the quality of educational options for Florida students. Public school districts share in the important task of communicating to parents the school choice options that are available.

Section 1002.40, Florida Statutes (F.S.), was established in last year's legislative session and provides the parent of a public school student who was subjected to an incident of bullying or violence (a complete list of incidents is found in section 1002.40(3), F.S.), an opportunity to transfer to another public school, or request a scholarship for the student to enroll in and attend a participating private school. The law states in part, "Upon receipt of a report of an incident, the school principal, or his or her designee, shall provide a copy of the report to the parent and investigate the incident to determine if the incident must be reported as required by s. 1006.09(6). Within 24 hours after receipt of the report, the principal or his or her designee shall provide a copy of the report to the parent of the alleged offender and to the superintendent. Upon conclusion of the investigation or within 15 days after the incident was reported, whichever occurs first, the school district shall notify the parent of the program and offer the parent an opportunity to enroll his or her student in another public school that has capacity or to request and receive a scholarship to attend an eligible private school, subject to available funding."

Pursuant to State Board of Education Rule 6A-6.0951, Florida Administrative Code, the district must notify the parent by providing the parent a completed Hope Scholarship Notification Form. The Hope Scholarship Notification Form was adopted by the State Board of Education in July 2018, and therefore may not be substantively altered. If the district substantively alters the form it may be rejected and considered invalid by the Scholarship Funding Organization, thereby unnecessarily delaying a student's access to the scholarship. The rule and form can be found at <https://www.flrules.org/gateway/ruleNo.asp?id=6A-6.0951>. Additionally, we have fielded districts' concerns as it relates to the form's formatting. To that end, we have included a version of the form which can be populated electronically and is available on our website at <http://fldoe.org/schools/school-choice/k-12-scholarship-programs/hope/>.

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Further, the department has received numerous inquiries from districts as it relates to the substantiation of incidents reported. PLEASE NOTE THAT THE LAW DOES NOT REQUIRE SUBSTANTIATION IN ORDER FOR THE DISTRICT TO NOTIFY THE PARENT OF THE PROGRAM, and any district that is adding this requirement is in violation of statute and administrative rule and will be dealt with according to law. The purpose of the district's investigation is not to determine a student's entitlement to a Hope Scholarship; entitlement is triggered by the reporting of an incident. The purpose of the district's investigation is to determine whether the district must report the incident to the department under section 1006.09(6), F.S., and to determine whether training or corrective action needs to be undertaken at the school where the incident was reported. Please ensure that school and district personnel are aware of the requirements and timelines associated with providing parents the Hope Scholarship Notification Form.

Thank you for your attention to this matter. If you have questions related to this requirement, please contact Laura Mazyck. She can be reached by email at [Laura.Mazyck@fldoe.org](mailto:Laura.Mazyck@fldoe.org) or by telephone at 850-245-0502.

JO/lm