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TO: School District Superintendents

FROM: Jacob Oliva, Chancellor
Division of Public Schools

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

DATE: August 6, 2021

SUBJECT: Hope Scholarship Transfer Procedures

Contact Information:

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DPS: 2021-130

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 during the 2018 legislative session and provides the parent of a public school student who was subjected to an incident of bullying, hazing, harassment or other qualifying incident an opportunity to transfer to another public school, or request a scholarship for the student to enroll in and attend a participating private school.

Today, the State Board of Education adopted Emergency Rule 6AER21-02 COVID-19 Hope Scholarship Transfer Procedures. This Emergency Rule provides parents with a mechanism to transfer a child to a private school, request another public school in the district, or receive a transportation scholarship to another district under a Hope Scholarship when a student is subjected to harassment relating to, or as a result of, a school district's COVID-19 health protocols.

This rule conforms to Executive Order Number 21-175, which ordered the Florida Department of Health and the Florida Department of Education to immediately execute rules and to take any additional agency action as necessary, using all legal means available, to ensure safety protocols for controlling the spread of COVID-19 in schools that (1) do not violate Floridians' constitutional freedoms; (2) do not violate parents' rights under Florida law to make health care decisions for their minor children; and (3) protect children with disabilities or health conditions who would be harmed by certain protocols, such as face masking requirements.

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Emergency Rule 6AER21-02 COVID-19, Hope Scholarship Transfer Procedures, defines “COVID-19 Harassment” as any threatening, discriminatory, insulting, or dehumanizing verbal, written or physical conduct an individual student suffers in relation to, or as a result of, school district protocols for COVID-19, including masking requirements, the separation or isolation of students, or COVID-19 testing requirements, that have the effect of substantially interfering with a student’s educational performance, opportunities or benefits. A student who is subjected to COVID-19 harassment is eligible for a Hope Scholarship under Rule 6A-6.0951, Florida Administrative Code (F.A.C.).

Further, the Department would like to emphasize that neither s.1002.40, F.S. nor the associated rules (Rule 6A-6.0951/6AER21-02), require substantiation of an incident in order for the district to notify the parent of the Hope Scholarship and provide parents with the Hope Notification Form ([Form IEPC-HS1](#)). 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. Please ensure that school and district personnel are aware of the requirements and timelines associated with providing parents the Hope Scholarship Notification Form.

Parents who choose the private school option may apply for the Hope Scholarship by using Form IEPC-HS1 and going to the [Step Up For Students website](#), email hope@sufs.org, or call 877-735-7837.

Thank you for your attention to this matter. If you have questions related to this requirement, please contact Raina Turner. She can be reached by email at Raina.Turner@fldoe.org or by telephone at 850-245-0502.

JO/DG