

THE FLORIDA SENATE
2016 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K - 12

SB 672 — Educational Options

by Senators Gaetz and Hukill

The bill (Chapter 2016-2, L.O.F.) codifies, renames, and expands the Gardiner Scholarship Program (formerly called the Florida Personal Learning Scholarship Accounts Program – PLSA), establishes Florida postsecondary education options, codifies standard student attire policies, and revises Florida Tax Credit Scholarship Program (FTC) accountability provisions.

Gardiner Scholarship Program

The bill clarifies and streamlines implementation, and tightens accountability, of the Gardiner Scholarship Program. Specifically the bill:

- Clarifies program implementation:
 - o Renames the “Florida Personal Learning Scholarship Accounts Program” as the “Gardiner Scholarship Program,” and expands the definition of disability to include autism spectrum disorder, muscular dystrophy, and specified 3- and 4-year olds.
 - o Expands and clarifies authorized uses, length of time to earn, and reversion of funds.
 - o Expands the Department of Education’s (DOE) investigative authority and clarifies the Commissioner of Education’s authority regarding participation and fund recovery.
- Streamlines program implementation:
 - o Requires funds to be prorated, allows earlier receipt of funds, and limits wait list time.
 - o Requires the Florida Prepaid College Board to implement specified provisions regarding use of program funds for Florida’s prepaid plans.
- Tightens program accountability requirements:
 - o Clarifies a scholarship funding organization’s (SFO) duty to review and prioritize applications. Requires SFOs to notify participants of ability to request a new or revised matrix of services and document each student’s eligibility before granting a program scholarship. Revises requirements for SFO payment transfer systems.
 - o Authorizes a SFO administrative fee of 3% of the amount of each award, subject to conditions. Prohibits a SFO from charging an application fee. Prohibits administrative expenses and fees from being deducted from a student’s scholarship award.
 - o Simplifies parent compliance statement and removes duplicate auditing requirements.

Florida Postsecondary Education Options

The bill establishes mechanisms for the statewide coordination of information about programs for students with disabilities, and for the approval of unique postsecondary education programs tailored to the needs of students with intellectual disabilities. Specifically the bill:

- Establishes a Florida Center for Students with Unique Abilities (center) at the University of Central Florida for statewide coordination of information regarding programs and services for students with disabilities and their parents.

- Requires rule adoption by the Board of Governors and the State Board of Education in consultation with the center.
- Establishes a process through which postsecondary institutions in Florida can voluntarily seek approval to offer a Florida Postsecondary Comprehensive Transition Program (FPCTP or program) for students with intellectual disabilities.
 - o Creates a scholarship to provide financial aid to students who meet the student eligibility requirements and are enrolled in a program.
 - o Outlines processes and application requirements for program approval and renewal.
 - o Requires annual reporting of student and program performance measures and statutory and budget recommendations for improving program implementation.
 - o Defines key terms including, but not limited to, FPCTP, eligible institution, eligible student, and the center.

Standard Student Attire Program

The bill awards incentive payments (\$10 per student) to school districts and charter schools that implement districtwide or schoolwide, standard student attire policies applicable to students in kindergarten through grade 8. Policies must:

- Prohibit certain types or styles of clothing, while requiring solid-colored clothing and fabrics and short- or long-sleeved shirts with collars; and
- Allow reasonable accommodations based on a student's religion, disability, or medical condition.

Furthermore, the bill requires each district school superintendent or charter school governing board to annually certify to the Commissioner of Education its implementation of a qualifying standard student attire policy, and provides immunity from civil liability to a district school board or a charter school governing board that implements such policy.

Florida Tax Credit Scholarship Program (FTC)

The bill provides for increased accountability and use for scholarship funds by Scholarship Funding Organizations (SFO). Specifically, the bill:

- Clarifies audit requirements for SFOs to be able to receive an administrative fee.
- Prohibits SFOs from charging application fees.
- Requires scholarship contributions that are not allowed to be carried forward to transfer to other SFOs. Requires funds held by a SFO that is closing to be transferred to another eligible SFO to provide scholarships.
- Clarifies ability make a claim against a surety bond, and limits recovery to another SFO for use as student scholarships.

The bill appropriates \$95,336,000 as follows: (1) \$71.2 million for scholarships, and \$2,136,000 for expenses, under the Gardiner Scholarship Program; (2) \$14 million for incentive payments under the Standard Student Attire Incentive Program; and (3) \$8 million in support of postsecondary education options.

These provisions were approved by the Governor and take effect July 1, 2016.

Vote: Senate 39-0; House 109-1