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LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AD/RM	.	
04/29/2015 02:52 PM	.	
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Senator Gaetz moved the following:

1 **Senate Amendment to House Amendment (103497) (with title**
2 **amendment)**

3
4 Delete lines 5 - 833

5 and insert:

6 Section 1. Subsections (2), (4), (5), (6), and (9) of
7 section 446.021, Florida Statutes, are amended to read:

8 446.021 Definitions of terms used in ss. 446.011-446.092.-

9 As used in ss. 446.011-446.092, the term:

10 (2) "Apprentice" means a person at least 16 years of age
11 who is engaged in learning a recognized skilled trade through



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12 actual work experience under the supervision of journeyworker
13 ~~journeymen~~ craftsmen, which training should be combined with
14 properly coordinated studies of related technical and
15 supplementary subjects, and who has entered into a written
16 agreement, which may be cited as an apprentice agreement, with a
17 registered apprenticeship sponsor who may be ~~either~~ an employer,
18 an association of employers, or a local joint apprenticeship
19 committee.

20 (4) "Journeyworker" ~~"Journeyman"~~ means a worker who has
21 attained certain skills, abilities, and competencies and who is
22 recognized within an industry as having mastered the skills and
23 competencies required for the occupation, including, but not
24 limited to, attainment of a nationally recognized industry
25 certification. The term includes a mentor, technician,
26 specialist, or other skilled worker who has documented
27 sufficient skills and knowledge of an occupation, through formal
28 apprenticeship, attainment of a nationally recognized industry
29 certification, or through practical, on-the-job experience or
30 formal training a person working in an apprenticeable occupation
31 ~~who has successfully completed a registered apprenticeship~~
32 ~~program or who has worked the number of years required by~~
33 ~~established industry practices for the particular trade or~~
34 ~~occupation.~~

35 (5) "Preapprenticeship program" means an organized course
36 of instruction, including, but not limited to, industry
37 certifications identified under s. 1008.44, in the public school
38 system or elsewhere, which course is designed to prepare a
39 person 16 years of age or older to become an apprentice and
40 which course is approved by and registered with the department



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41 and sponsored by a registered apprenticeship program.

42 (6) "Apprenticeship program" means an organized course of
43 instruction, including, but not limited to, industry
44 certifications identified under s. 1008.44, registered and
45 approved by the department, which course shall contain all terms
46 and conditions for the qualifications, recruitment, selection,
47 employment, and training of apprentices including such matters
48 as the requirements for a written apprenticeship agreement.

49 (9) "Related instruction" means an organized and systematic
50 form of instruction designed to provide the apprentice with
51 knowledge of the theoretical and technical subjects related to a
52 specific trade or occupation. Such instruction may be given in a
53 classroom, through occupational or industrial courses, or by
54 correspondence courses of equivalent value, including electronic
55 media or other forms of self-study instruction approved by the
56 department.

57 Section 2. Section 446.032, Florida Statutes, is amended to
58 read:

59 446.032 General duties of the department for apprenticeship
60 training.—The department shall:

61 (1) Establish uniform minimum standards and policies
62 governing apprentice programs and agreements. The standards and
63 policies shall govern the terms and conditions of the
64 apprentice's employment and training, including the quality
65 training of the apprentice for, but not limited to, such matters
66 as ratios of apprentices to journeyworkers ~~journeymen~~, safety,
67 related instruction, and on-the-job training; but these
68 standards and policies may not include rules, standards, or
69 guidelines that require the use of apprentices and job trainees



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70 on state, county, or municipal contracts. The department may
71 adopt rules necessary to administer the standards and policies.

72 (2) Establish procedures to be used by the State
73 Apprenticeship Advisory Council.

74 (3) Collaborate with the Department of Economic Opportunity
75 to identify, develop, and register apprenticeship programs that
76 are aligned with statewide demand for a skilled labor force in
77 high-demand occupations and with regional workforce needs.

78 Beginning in the 2015-2016 fiscal year, the department shall
79 annually, by December 31, submit an accountability report, which
80 must include information related to program usage, student
81 demographics and performance outcomes, and program requirements
82 for the existing apprenticeship and preapprenticeship programs
83 and the development of new programs. The report must include
84 regional information about program and student performance
85 outcomes. The report must be submitted to the Governor, the
86 President of the Senate, the Speaker of the House of
87 Representatives, and the Higher Education Coordinating Council.

88 (4) Post on its Internet website information regarding
89 apprenticeship programs, which must, at a minimum, include:

- 90 (a) Program admission requirements;
91 (b) Program standards and training requirements; and
92 (c) A summary of program and student performance outcomes.

93 Section 3. Paragraph (b) of subsection (2) of section
94 446.045, Florida Statutes, is amended to read:

95 446.045 State Apprenticeship Advisory Council.—

96 (2)

97 (b) The Commissioner of Education or the commissioner's
98 designee shall serve ex officio as chair of the State



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99 Apprenticeship Advisory Council, but may not vote. The state
100 director of the Office of Apprenticeship of the United States
101 Department of Labor shall serve ex officio as a nonvoting member
102 of the council. The Governor shall appoint to the council four
103 members representing employee organizations and four members
104 representing employer organizations. Each of these eight members
105 shall represent industries that have registered apprenticeship
106 programs. The Governor shall also appoint two public members who
107 are knowledgeable about registered apprenticeship and
108 apprenticeable occupations, who are independent of any joint or
109 nonjoint organization ~~one of whom shall be recommended by joint~~
110 ~~organizations, and one of whom shall be recommended by nonjoint~~
111 ~~organizations~~. Members shall be appointed for 4-year staggered
112 terms. A vacancy shall be filled for the remainder of the
113 unexpired term.

114 Section 4. Subsections (5) and (6) are added to section
115 446.052, Florida Statutes, to read:

116 446.052 Preapprenticeship program.—

117 (5) The department shall collaborate with the Department of
118 Economic Opportunity to identify, develop, and register
119 preapprenticeship programs that are aligned with statewide
120 demand for a skilled labor force in high-demand occupations and
121 with regional workforce needs. Beginning in the 2015-2016 fiscal
122 year, the department shall annually, by December 31, submit an
123 accountability report, which must include information related to
124 program usage, student demographics and performance outcomes,
125 and program requirements for the existing apprenticeship and
126 preapprenticeship programs and the development of new programs.
127 The report must include regional information about program and



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128 student performance outcomes. The report must be submitted to
129 the Governor, the President of the Senate, the Speaker of the
130 House of Representatives, and the Higher Education Coordinating
131 Council.

132 (6) The department shall post on its Internet website
133 information regarding preapprenticeship programs, which must, at
134 a minimum, include:

135 (a) Program admission requirements;

136 (b) Program standards and training requirements; and

137 (c) A summary of program and student performance outcomes.

138 Section 5. Preapprenticeship and apprenticeship operational
139 report.—(1) By December 31, 2015, the Department of Education,
140 in collaboration with the Department of Economic Opportunity and
141 CareerSource Florida, Inc., shall submit an operational report
142 to the Governor, the President of the Senate, the Speaker of the
143 House of Representatives, and the Higher Education Coordinating
144 Council providing:

145 (a) A summary of the activities and coordination between
146 the two agencies to identify, develop, register, and administer
147 preapprenticeship and apprenticeship programs over the last 5
148 years.

149 (b) The strategies employed by the two agencies to engage
150 school districts, Florida College System institutions, technical
151 centers, businesses, and other stakeholders as partners in the
152 workforce system to expand employment opportunities for
153 individuals, including, but not limited to, those individuals
154 with unique abilities, which must include work-based learning
155 experiences, such as preapprenticeships and apprenticeships.

156 (c) Recommendations to maximize the resources of the two



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157 agencies to gain efficiency in program development,
158 administration, and funding and make program governance changes
159 to improve the delivery and management of preapprenticeship and
160 apprenticeship programs based on workforce demands. These
161 recommendations must take into account federal resources and
162 must include any necessary or suggested changes to the programs
163 ensuing from implementation of the Workforce Innovation and
164 Opportunity Act of 2014 and related regulations.

165 (d) Recommendations and strategies for the two agencies to
166 communicate effectively with employers in this state and ensure
167 that employers have access to information and consultative
168 services, at no cost to the employers, regarding sponsorship of
169 demand-driven, registered preapprenticeship and apprenticeship
170 programs and information about the availability of program
171 students for employment.

172 (e) An evaluation of the feasibility of linking or
173 incorporating, and of the resources necessary to link or
174 incorporate, the Department of Education's website information
175 on preapprenticeship and apprenticeship programs with the
176 Department of Economic Opportunity and CareerSource Florida,
177 Inc., workforce information system required under chapter 445,
178 Florida Statutes.

179 (2) This section expires on July 1, 2016.

180 Section 6. Subsection (4) is added to section 446.081,
181 Florida Statutes, to read:

182 446.081 Limitation.—

183 (4) Nothing in ss. 446.011-446.092 or the implementing
184 rules in these sections shall operate to invalidate any special
185 provision for veterans, minority persons, or women in the



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186 standards, qualifications, or operation of the apprenticeship
187 program or in the apprenticeship agreement which is not
188 otherwise prohibited by law, executive order, or authorized
189 regulation.

190 Section 7. Section 446.091, Florida Statutes, is amended to
191 read:

192 446.091 On-the-job training program.—All provisions of ss.
193 446.011-446.092 relating to apprenticeship and
194 preapprenticeship, including, but not limited to, programs,
195 agreements, standards, administration, procedures, definitions,
196 expenditures, local committees, powers and duties, limitations,
197 grievances, and ratios of apprentices and job trainees to
198 journeyworkers ~~journeymen~~ on state, county, and municipal
199 contracts, shall be appropriately adapted and made applicable to
200 a program of on-the-job training authorized under those
201 provisions for persons other than apprentices.

202 Section 8. Section 446.092, Florida Statutes, is amended to
203 read:

204 446.092 Criteria for apprenticeship occupations.—An
205 apprenticeable occupation is a skilled trade which possesses all
206 of the following characteristics:

207 (1) It is customarily learned in a practical way through a
208 structured, systematic program of on-the-job, supervised
209 training.

210 (2) It is clearly identified and commonly recognized
211 throughout an the industry, and may be associated with a
212 nationally recognized industry certification ~~or recognized with~~
213 ~~a positive view towards changing technology.~~

214 (3) It involves manual, mechanical, or technical skills and



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215 knowledge which, in accordance with the industry standard for
216 the occupation, require a minimum of 2,000 hours of on-the-job
217 ~~work and~~ training, which hours are excluded from the time spent
218 at related instruction.

219 (4) It requires related instruction to supplement on-the-
220 job training. Such instruction may be given in a classroom,
221 through occupational or industrial courses, or through
222 correspondence courses of equivalent value, including electronic
223 media or other forms of self-study instruction approved by the
224 department.

225 ~~(5) It involves the development of skill sufficiently broad~~
226 ~~to be applicable in like occupations throughout an industry,~~
227 ~~rather than of restricted application to the products or~~
228 ~~services of any one company.~~

229 ~~(6) It does not fall into any of the following categories:~~

230 ~~(a) Selling, retailing, or similar occupations in the~~
231 ~~distributive field.~~

232 ~~(b) Managerial occupations.~~

233 ~~(c) Professional and scientific vocations for which~~
234 ~~entrance requirements customarily require an academic degree.~~

235 Section 9. Section 1001.92, Florida Statutes, is created to
236 read:

237 1001.92 State University System Performance-Based
238 Incentive.-

239 (1) The State University System Performance-Based Incentive
240 must be based on indicators of institutional attainment of
241 performance metrics adopted by the Board of Governors. The
242 performance-based funding metrics must include metrics that
243 measure graduation and retention rates; degree production;



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244 affordability; postgraduation employment, salaries, or further
245 education; student loan default rates; access; and any other
246 metrics approved by the board.

247 (2) The Board of Governors shall evaluate the institutions'
248 performance on the metrics based on benchmarks adopted by the
249 board which measure the achievement of institutional excellence
250 or improvement. The amount of funds available for allocation to
251 the institutions each fiscal year based on the performance
252 funding model is composed of the state investment in performance
253 funding, plus an institutional investment consisting of funds to
254 be redistributed from the base funding of the State University
255 System, as determined in the General Appropriations Act. The
256 state investment shall be distributed in accordance with the
257 performance funding model. The institutional investment shall be
258 restored for all institutions that meet the board's minimum
259 performance threshold under the performance funding model. An
260 institution that is one of the bottom three institutions is not
261 eligible for the state investment. An institution that fails to
262 meet the board's minimum performance funding threshold is not
263 eligible for the state investment, shall have a portion of its
264 institutional investment withheld, and shall submit an
265 improvement plan to the board which specifies the activities and
266 strategies for improving the institution's performance. The
267 board shall review the improvement plan, and if approved,
268 monitor the institution's progress in implementing the
269 activities and strategies specified in the improvement plan. The
270 Chancellor of the State University System shall withhold
271 disbursement of the institutional investment until such time as
272 the monitoring report for the institution is approved by the



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273 board. Any institution that fails to make satisfactory progress
274 may not have its full institutional investment restored. If all
275 funds are not restored, any remaining funds shall be
276 redistributed to the top three scorers in accordance with the
277 board's performance funding model. The ability of an institution
278 to submit an improvement plan to the board is limited to 1
279 fiscal year. If an institution subject to an improvement plan
280 fails to meet the board's minimum performance funding threshold
281 during any future fiscal year, the institution's institutional
282 investment will be withheld by the board and redistributed to
283 the top three scorers in accordance with the board's performance
284 funding model.

285 (3) By October 1 of each year, the Board of Governors shall
286 submit to the Governor, the President of the Senate, and the
287 Speaker of the House of Representatives a report on the previous
288 year's performance funding allocation which reflects the
289 rankings and award distributions.

290 (4) The Board of Governors shall adopt a regulation to
291 implement this section.

292 Section 10. Section 1002.385, Florida Statutes, is amended
293 to read:

294 1002.385 Florida personal learning scholarship accounts.—

295 (1) ESTABLISHMENT OF PROGRAM.—The Florida Personal Learning
296 Scholarship Accounts Program is established to provide the
297 option for a parent to better meet the individual educational
298 needs of his or her eligible child.

299 (2) DEFINITIONS.—As used in this section, the term:

300 (a) "Approved provider" means a provider approved by the
301 Agency for Persons with Disabilities, a health care practitioner



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302 as defined in s. 456.001(4), or a provider approved by the
303 department pursuant to s. 1002.66. The term also includes
304 providers outside this state which are subject to similar
305 regulation or approval requirements.

306 (b) "Curriculum" means a complete course of study for a
307 particular content area or grade level, including any required
308 supplemental materials.

309 (c) "Department" means the Department of Education.

310 (d) "Disability" means, for a 3- or 4-year-old child or for
311 a student in kindergarten to grade 12, autism spectrum disorder,
312 as defined in the Diagnostic and Statistical Manual of Mental
313 Disorders, Fifth Edition, as defined in s. 393.063(3); cerebral
314 palsy, as defined in s. 393.063(4); Down syndrome, as defined in
315 s. 393.063(13); an intellectual disability, as defined in s.
316 393.063(21); Prader-Willi syndrome, as defined in s.
317 393.063(25); or spina bifida, as defined in s. 393.063(36); for
318 a student in kindergarten, being a high-risk child, as defined
319 in s. 393.063(20) (a); muscular dystrophy; and Williams syndrome.

320 (e) "Eligible nonprofit scholarship-funding organization"
321 or "organization" means a nonprofit scholarship-funding
322 organization that is approved pursuant to s. 1002.395(2) (f). The
323 organization must have a copy of its annual operational audit
324 provided to the Commissioner of Education as required by this
325 section has the same meaning as in s. 1002.395.

326 (f) "Eligible postsecondary educational institution" means
327 a Florida College System institution; a state university;
328 school district technical center; a school district adult
329 general education center; an independent college or university
330 that is eligible to participate in the William L. Boyd, IV,



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331 Florida Resident Access Grant Program under s. 1009.89; ~~or an~~
332 accredited independent nonpublic postsecondary educational
333 institution, as defined in s. 1005.02, which is licensed to
334 operate in the state pursuant to requirements specified in part
335 III of chapter 1005.

336 (g) "Eligible private school" means a private school, as
337 defined in s. 1002.01, which is located in this state, which
338 offers an education to students in any grade from kindergarten
339 to grade 12, and which meets the requirements of:

- 340 1. Sections 1002.42 and 1002.421; and
341 2. A scholarship program under s. 1002.39 or s. 1002.395, ~~or~~
342 ~~as applicable, if the private school participates in a~~
343 ~~scholarship program under s. 1002.39 or s. 1002.395.~~

344 (h) "IEP" means individual education plan.

345 (i) "Parent" means a resident of this state who is a
346 parent, as defined in s. 1000.21.

347 (j) "Program" means the Florida Personal Learning
348 Scholarship Accounts Program established in this section.

349 (3) PROGRAM ELIGIBILITY.—A parent of a student with a
350 disability may request and receive from the state a Florida
351 personal learning scholarship account for the purposes specified
352 in subsection (5) if:

353 (a) The student:

- 354 1. Is a resident of this state;
355 2. Is or will be 3 or 4 years old on or before September 1
356 of the year in which the student applies for program
357 participation, or is eligible to enroll in kindergarten through
358 grade 12 in a public school in this state;
359 3. Has a disability as defined in paragraph (2) (d); and



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360 4. Is the subject of an IEP written in accordance with
361 rules of the State Board of Education or has received a
362 diagnosis of a disability ~~as defined in subsection (2)~~ from a
363 physician who is licensed under chapter 458 or chapter 459 or a
364 psychologist who is licensed under chapter 490 ~~in this state~~.

365 (b) Beginning January 2015, and each year thereafter, the
366 following application deadlines and guidelines are met:

367 1. The parent of a student seeking program renewal must
368 submit a completed application to an organization for renewal by
369 February 1 before the school year in which the student wishes to
370 participate.

371 2. The parent of a student seeking initial approval to
372 participate in the program must submit a completed application
373 to an organization by June 30 before the school year in which
374 the student wishes to participate.

375 3. The parent of a student seeking approval to participate
376 in the program who does not comply with the requirements of
377 subparagraph 1. or subparagraph 2. may late file a completed
378 application by August 15 before the school year in which the
379 student wishes to participate.

380 4. A parent must submit final verification to the
381 organization before the organization opens a personal learning
382 scholarship account for the student. The final verification must
383 consist of only the following items that apply to the student:

384 a. A completed withdrawal form from the school district if
385 the student was enrolled in a public school before the
386 determination of program eligibility;

387 b. A letter of admission or enrollment from an eligible
388 private school for the school year in which the student wishes



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389 to participate;

390 c. A copy of the notice of the parent's intent to establish
391 and maintain a home education program required by s.

392 1002.41(1)(a), or a copy of the district school superintendent's
393 review of the annual educational evaluation of the student in a
394 home education program required by s. 1002.41(2); or

395 d. A copy of notification from a private school that the
396 student has withdrawn from the John M. McKay Scholarships for
397 Students with Disabilities Program or the Florida Tax Credit
398 Scholarship Program.

399 5. A parent's completed application and final verification
400 submitted pursuant to this paragraph ~~the parent has applied to~~
401 ~~an eligible nonprofit scholarship funding organization to~~
402 ~~participate in the program by February 1 before the school year~~
403 ~~in which the student will participate or an alternative date as~~
404 ~~set by the organization for any vacant, funded slots. The~~
405 ~~request~~ must be communicated directly to the organization in a
406 manner that creates a written or electronic record including ~~of~~
407 ~~the request~~ and the date of receipt ~~of the request~~. The
408 organization shall notify the district and the department of the
409 parent's intent upon receipt of the parent's completed
410 application and final verification ~~request~~. The completed
411 application must include, but is not limited to, an application;
412 required documentation and forms; an initial or revised matrix
413 of services, if requested; and any additional information or
414 documentation required by the organization or by State Board of
415 Education rule.

416 (4) PROGRAM PROHIBITIONS.—

417 (a) A student is not eligible for the program while he or



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418 she is:

419 1. Enrolled in a public school, including, but not limited
420 to, the Florida School for the Deaf and the Blind; the Florida
421 Virtual School; the College-Preparatory Boarding Academy; a
422 developmental research school authorized under s. 1002.32; a
423 charter school authorized under s. 1002.33, s. 1002.331, or s.
424 1002.332; or a virtual education program authorized under s.
425 1002.45;

426 2. Enrolled in the Voluntary Prekindergarten Education
427 Program authorized under part V of this chapter;

428 3. Enrolled in a school operating for the purpose of
429 providing educational services to youth in the Department of
430 Juvenile Justice commitment programs;

431 ~~4.3.~~ Receiving a scholarship pursuant to the Florida Tax
432 Credit Scholarship Program under s. 1002.395 or the John M.
433 McKay Scholarships for Students with Disabilities Program under
434 s. 1002.39; or

435 ~~5.4.~~ Receiving any other educational scholarship pursuant
436 to this chapter.

437

438 For purposes of subparagraph 1., a 3- or 4-year-old child who
439 receives services that are funded through the Florida Education
440 Finance Program is considered to be a student enrolled in a
441 public school.

442 (b) A student is not eligible for the program if:

443 1. The student or student's parent has accepted any
444 payment, refund, or rebate, in any manner, from a provider of
445 any services received pursuant to subsection (5);

446 2. The student's participation in the program, or receipt



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447 or expenditure of program funds, has been denied or revoked by
448 the commissioner ~~of Education pursuant to subsection (10); or~~

449 3. The student's parent has forfeited participation in the
450 program for failure to comply with requirements pursuant to
451 subsection (11); or

452 4. The student's application for program eligibility has
453 been denied by an organization.

454 (5) AUTHORIZED USES OF PROGRAM FUNDS.—Program funds may be
455 spent if used to support the student's educational needs, for
456 the following purposes:

457 (a) Instructional materials, including digital devices,
458 digital periphery devices, and assistive technology devices that
459 allow a student to access instruction or instructional content
460 and training on the use of and maintenance agreements for these
461 devices.

462 (b) Curriculum as defined in paragraph (2) (b).

463 (c) Specialized services by approved providers that are
464 selected by the parent. These specialized services may include,
465 but are not limited to:

466 1. Applied behavior analysis services as provided in ss.
467 627.6686 and 641.31098.

468 2. Services provided by speech-language pathologists as
469 defined in s. 468.1125.

470 3. Occupational therapy services as defined in s. 468.203.

471 4. Services provided by physical therapists as defined in
472 s. 486.021.

473 5. Services provided by listening and spoken language
474 specialists and an appropriate acoustical environment for a
475 child who is deaf or hard of hearing and who has received an



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476 implant or assistive hearing device.

477

478 Specialized services outside this state are authorized under
479 this paragraph if the services are subject to similar regulation
480 or approval requirements.

481 (d) Enrollment in, or tuition or fees associated with
482 enrollment in, an eligible private school, an eligible
483 postsecondary educational institution or a program offered by
484 the institution, a private tutoring program authorized under s.
485 1002.43, a virtual program offered by a department-approved
486 private online provider that meets the provider qualifications
487 specified in s. 1002.45(2)(a), the Florida Virtual School as a
488 private paying student, or an approved online course offered
489 pursuant to s. 1003.499 or s. 1004.0961.

490 (e) Fees for nationally standardized, norm-referenced
491 achievement tests, Advanced Placement Examinations, industry
492 certification examinations, assessments related to postsecondary
493 education, or other assessments.

494 (f) Contributions to the Stanley G. Tate Florida Prepaid
495 College Program pursuant to s. 1009.98 or the Florida College
496 Savings Program pursuant to s. 1009.981, for the benefit of the
497 eligible student. The Florida Prepaid College Board shall, by
498 the dates specified in ss. 1009.98 and 1009.981, create and have
499 effective procedures to allow program funds to be used in
500 conjunction with other funds used by the parent in the purchase
501 of a prepaid college plan or a college savings plan; require
502 program funds to be tracked and accounted for separately from
503 other funds contributed to a prepaid college plan or a college
504 savings plan; require program funds and associated interest to



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505 be reverted as specified in this section; and require program
506 funds to be used only after private payments have been used for
507 prepaid college plan or college savings plan expenditures. The
508 organization shall enter into a contract with the Florida
509 Prepaid College Board to enable the board to establish
510 mechanisms to implement this section, including, but not limited
511 to, identifying the source of funds being deposited in these
512 plans. A qualified or designated beneficiary may not be changed
513 while these plans contain funds contributed from this section.

514 (g) Contracted services provided by a public school or
515 school district, including classes. A student who receives
516 services under a contract under this paragraph is not considered
517 enrolled in a public school for eligibility purposes as
518 specified in subsection (4).

519 (h) Tuition and fees for part-time tutoring services
520 provided by a person who holds a valid Florida educator's
521 certificate pursuant to s. 1012.56; a person who holds an
522 adjunct teaching certificate pursuant to s. 1012.57; or a person
523 who has demonstrated a mastery of subject area knowledge
524 pursuant to s. 1012.56(5). The term "part-time tutoring
525 services" as used in this paragraph does not meet the definition
526 of the term "regular school attendance" in s. 1003.01(13)(e).

527 (i) Fees for specialized summer education programs.

528 (j) Fees for specialized after-school education programs.

529 (k) Transition services provided by job coaches.

530 (l) Fees for an annual evaluation of educational progress
531 by a state-certified teacher, if this option is chosen for a
532 home education student pursuant to s. 1002.41(1)(c)1.

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534 A specialized service provider, eligible private school,
535 eligible postsecondary educational institution, private tutoring
536 program provider, online or virtual program provider, public
537 school, school district, or other entity receiving payments
538 pursuant to this subsection may not share, refund, or rebate any
539 moneys from the Florida personal learning scholarship account
540 with the parent or participating student in any manner.

541 (6) TERM OF THE PROGRAM.—For purposes of continuity of
542 educational choice and program integrity:

543 (a) The program payments made by the state to an
544 organization for a personal learning scholarship account under
545 this section shall continue remain in force until the parent
546 does not renew program eligibility; the organization determines
547 a student is not eligible for program renewal; the commissioner
548 denies, suspends, or revokes program participation or use of
549 funds; or a student enrolls in participating in the program
550 participates in any of the prohibited activities specified in
551 subsection (4), has funds revoked by the Commissioner of
552 Education pursuant to subsection (10), returns to a public
553 school or in the Voluntary Prekindergarten Education Program,
554 graduates from high school, or attains 22 years of age,
555 whichever occurs first. A participating student who enrolls in a
556 public school or public school program is considered to have
557 returned to a public school for the purpose of determining the
558 end of the program's term.

559 (b) Program expenditures by the parent from the program
560 account are authorized until a student's personal learning
561 scholarship account is closed pursuant to paragraph (c).

562 (c) A student's personal learning scholarship account shall



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563 be closed, and any remaining funds, including accrued interest
564 or contributions made using program funds pursuant to paragraph
565 (5) (f), shall revert to the state upon:

566 1. The eligible student no longer being enrolled in an
567 eligible postsecondary educational institution or a program
568 offered by the institution;

569 2. Denial or revocation of program eligibility by the
570 commissioner;

571 3. Denial of program application by an organization; or

572 4. After any period of 4 consecutive years after high
573 school completion or graduation in which the student is not
574 enrolled in an eligible postsecondary educational institution or
575 a program offered by the institution.

576
577 The commissioner must notify the parent and organization of any
578 reversion determination.

579 (7) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.—

580 (a)1. For a student with a disability who does not have a
581 matrix of services under s. 1011.62(1)(e), or who wants a
582 revised matrix of services, and for whom the parent requests a
583 new or revised matrix of services, the school district must
584 complete a matrix that assigns the student to one of the levels
585 of service as they existed before the 2000-2001 school year.

586 2.a. Within 10 calendar ~~school~~ days after a school district
587 receives notification of a parent's request for completion of a
588 matrix of services, the school district must notify the
589 student's parent if the matrix of services has not been
590 completed and inform the parent that the district is required to
591 complete the matrix within 30 days after receiving notice of the



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592 parent's request for the matrix of services. This notice must
593 include the required completion date for the matrix.

594 b. The school district shall complete the matrix of
595 services for a student whose parent has made a request. The
596 school district must provide the student's parent, the
597 organization, and the department with the student's matrix level
598 within 10 calendar school days after its completion.

599 c. The department shall notify the parent and the ~~eligible~~
600 ~~nonprofit scholarship-funding~~ organization of the amount of the
601 funds awarded within 10 days after receiving the school
602 district's notification of the student's matrix level.

603 d. A school district may change a matrix of services only
604 if the change is to correct a technical, typographical, or
605 calculation error, except that a parent may annually request a
606 matrix reevaluation for each student participating in the
607 program pursuant to paragraph (12)(h).

608 (b) For each student participating in the program who
609 chooses to participate in statewide, standardized assessments
610 under s. 1008.22 or the Florida Alternate Assessment, the school
611 district in which the student resides must notify the student
612 and his or her parent about the locations and times to take all
613 statewide, standardized assessments.

614 ~~(c) For each student participating in the program, a school~~
615 ~~district shall notify the parent about the availability of a~~
616 ~~reevaluation at least every 3 years.~~

617 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible
618 private school may be sectarian or nonsectarian and shall:

619 (a) Comply with all requirements for private schools
620 participating in state school choice scholarship programs



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621 pursuant to s. 1002.421. To participate in the program, a
622 private school must submit to the department a notification for
623 eligibility to participate in its application for the John M.
624 McKay Scholarships for Students with Disabilities and Florida
625 Tax Credit Scholarship programs identified in ss. 1002.39 and
626 1002.395.

627 (b) Provide to the department and eligible nonprofit
628 ~~scholarship-funding~~ organization, upon request, all
629 documentation required for the student's participation,
630 including the private school's and student's fee schedules.

631 (c) Be academically accountable to the parent for meeting
632 the educational needs of the student by:

633 1. At a minimum, annually providing to the parent a written
634 explanation of the student's progress.

635 2. Annually administering or making provision for students
636 participating in the program in grades 3 through 10 to take one
637 of the nationally norm-referenced tests identified by the State
638 ~~Board Department~~ of Education or the statewide assessments
639 pursuant to s. 1008.22. Students with disabilities for whom
640 standardized testing is not appropriate are exempt from this
641 requirement. A participating private school shall report a
642 student's scores to the parent.

643 3. Cooperating with the scholarship student whose parent
644 chooses to have the student participate in the statewide
645 assessments pursuant to s. 1008.22 or, if a private school
646 chooses to offer the statewide assessments, administering the
647 assessments at the school.

648 a. A participating private school may choose to offer and
649 administer the statewide assessments to all students who attend



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650 the private school in grades 3 through 10.

651 b. A participating private school shall submit a request in
652 writing to the Department of Education by March 1 of each year
653 in order to administer the statewide assessments in the
654 subsequent school year.

655 (d) Employ or contract with teachers who have regular and
656 direct contact with each student receiving a scholarship under
657 this section at the school's physical location.

658 (e) Annually contract with an independent certified public
659 accountant to perform the agreed-upon procedures developed under
660 s. 1002.395(6)(o) ~~s. 1002.395(6)(n)~~ and produce a report of the
661 results if the private school receives more than \$250,000 in
662 funds from scholarships awarded under this section in the 2014-
663 2015 state fiscal year or a state fiscal year thereafter. A
664 private school subject to this paragraph must submit the report
665 by September 15, 2015, and annually thereafter to the
666 ~~scholarship-funding~~ organization that awarded the majority of
667 the school's scholarship funds. The agreed-upon procedures must
668 be conducted in accordance with attestation standards
669 established by the American Institute of Certified Public
670 Accountants.

671
672 The inability of a private school to meet the requirements of
673 this subsection constitutes a basis for the ineligibility of the
674 private school to participate in the program as determined by
675 the commissioner ~~department~~.

676 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department
677 shall:

678 (a) Maintain a list of approved providers pursuant to s.



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679 1002.66, and eligible postsecondary educational institutions,
680 eligible private schools, and organizations on its website. The
681 department may identify or provide links to lists of other
682 approved providers on its website.

683 (b) Require each ~~eligible nonprofit scholarship-funding~~
684 organization to preapprove ~~verify eligible~~ expenditures to be
685 ~~before the distribution of funds for any expenditures~~ made
686 pursuant to paragraphs (5) (a) and (b). Review of expenditures
687 made for services in paragraphs (5) (c) - (h) must ~~(5) (e) - (g) may~~
688 be completed after the purchase ~~payment~~ has been made.

689 (c) Investigate any written complaint of a violation of
690 this section by a parent, student, private school, public school
691 or school district, organization, provider, or other appropriate
692 party in accordance with the process established by s.
693 1002.395(9) (f).

694 (d) Require annually by December 1 ~~quarterly~~ reports by an
695 ~~eligible nonprofit scholarship-funding~~ organization, which must
696 include, but need not be limited to, regarding the number of
697 students participating in the program, demographics of program
698 participants; disability category; matrix level of services, if
699 known; award amount per student; total expenditures for the
700 categories in subsection (5); and the types of providers of
701 services to students, and other information deemed necessary by
702 the department.

703 (e) Compare the list of students participating in the
704 program with the public school student enrollment lists and the
705 list of students participating in school choice scholarship
706 programs established pursuant to this chapter, throughout the
707 school year, before each program payment to avoid duplicate



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708 payments and confirm program eligibility.

709 (10) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—

710 (a) The Commissioner of Education:

711 1. Shall deny, suspend, or revoke a student's participation
712 in the program if the health, safety, or welfare of the student
713 is threatened or fraud is suspected.

714 2. Shall deny, suspend, or revoke an authorized use of
715 program funds if the health, safety, or welfare of the student
716 is threatened or fraud is suspected.

717 3. May ~~deny, suspend, or revoke an~~ authorized use of
718 program funds for material failure to comply with this section
719 and applicable State Board of Education ~~department~~ rules if the
720 noncompliance is correctable within a reasonable period of time.
721 Otherwise, the commissioner shall ~~deny, suspend, or revoke an~~
722 authorized use for failure to materially comply with the law and
723 rules adopted under this section.

724 4. Shall require compliance by the appropriate party by a
725 date certain for all nonmaterial failures to comply with this
726 section and applicable State Board of Education ~~department~~
727 rules.

728 5. Notwithstanding the other provisions of this section,
729 the commissioner may deny, suspend, or revoke program
730 participation or use of program funds by the student; or
731 participation or eligibility of an organization, eligible
732 private school, eligible postsecondary educational institution,
733 approved provider, or other appropriate party for a violation of
734 this section. The commissioner may determine the length of, and
735 conditions for lifting, the suspension or revocation specified
736 in this paragraph. The length of suspension or revocation may



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737 not exceed 5 years, except for instances of fraud, in which case
738 the length of suspension or revocation may not exceed 10 years.
739 The commissioner may employ mechanisms allowed by law to recover
740 unexpended program funds or withhold payment of an equal amount
741 of program funds to recover program funds that were not
742 authorized for use ~~under this section thereafter.~~

743 6. Shall deny or terminate program participation upon a
744 parent's forfeiture of a personal learning scholarship account
745 pursuant to subsection (11).

746 (b) In determining whether to deny, suspend, ~~or~~ revoke, or
747 lift a suspension or revocation, in accordance with this
748 subsection, the commissioner may consider factors that include,
749 but are not limited to, acts or omissions that by a
750 participating entity which led to a previous denial, suspension,
751 or revocation of participation in a state or federal program or
752 an education scholarship program; failure to reimburse the
753 eligible nonprofit scholarship-funding organization for program
754 funds improperly received or retained by the entity; failure to
755 reimburse government funds improperly received or retained;
756 imposition of a prior criminal sanction related to the person or
757 entity or its officers or employees; imposition of a civil fine
758 or administrative fine, license revocation or suspension, or
759 program eligibility suspension, termination, or revocation
760 related to a person's or an entity's management or operation; or
761 other types of criminal proceedings in which the person or the
762 entity or its officers or employees were found guilty of,
763 regardless of adjudication, or entered a plea of nolo contendere
764 or guilty to, any offense involving fraud, deceit, dishonesty,
765 or moral turpitude.



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766 (11) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
767 PARTICIPATION.—A parent who applies for program participation
768 under this section is exercising his or her parental option to
769 determine the appropriate placement or the services that best
770 meet the needs of his or her child. The scholarship award for a
771 student is based on a matrix that assigns the student to support
772 Level III services. If a parent chooses to request and receive
773 an IEP and a matrix of services from the school district, the
774 amount of the payment shall be adjusted as needed, when the
775 school district completes the matrix.

776 (a) To satisfy or maintain program eligibility, including,
777 but not limited to, eligibility to receive program payments and
778 expend program payments ~~enroll an eligible student in the~~
779 ~~program,~~ the parent must sign an agreement with the ~~eligible~~
780 ~~nonprofit scholarship-funding~~ organization and annually submit a
781 notarized, sworn compliance statement to the organization to:

782 1. Affirm that the student is enrolled in a program that
783 meets regular school attendance requirements as provided in s.
784 1003.01(13)(b)-(d).

785 2. Affirm that ~~Use~~ the program funds are used only for
786 authorized purposes serving the student's educational needs, as
787 described in subsection (5).

788 3. Affirm that the student takes all appropriate
789 standardized assessments as specified in this section.

790 a. If the parent enrolls the child in an eligible private
791 school, the student must take an assessment selected by the
792 private school pursuant to s. 1002.395(7)(e) or, if requested by
793 the parent, the statewide, standardized assessments pursuant to
794 s. 1002.39(8)(c)2. and (9)(e).



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795 b. If the parent enrolls the child in a home education
796 program, the parent may choose to participate in an assessment
797 as part of the annual evaluation provided for in s.
798 1002.41(1)(c).

799 4. Notify the school district that the student is
800 participating in the program ~~Personal Learning Scholarship~~
801 ~~Accounts~~ if the parent chooses to enroll in a home education
802 program as provided in s. 1002.41.

803 5. File a completed application for initial program
804 participation with an organization ~~Request participation in the~~
805 ~~program~~ by the dates ~~date~~ established pursuant to this section
806 ~~by the eligible nonprofit scholarship-funding organization.~~

807 6. Affirm that the student remains in good standing with
808 the entities identified in paragraph (5)(d), paragraph (5)(g),
809 or paragraph (5)(h) ~~provider or school~~ if those options are
810 selected by the parent.

811 7. Apply for admission of his or her child if the private
812 school option is selected by the parent.

813 8. Annually file a completed application to renew
814 participation in the program if renewal is desired by the
815 parent. Notwithstanding any changes to the student's IEP, a
816 student who was previously eligible for participation in the
817 program shall remain eligible to apply for renewal ~~as provided~~
818 ~~in subsection (6).~~ However, in order for a high-risk child to
819 continue to participate in the program in the school year after
820 he or she reaches 6 years of age, the child's completed
821 application for renewal of program participation must contain
822 documentation that the child has a disability defined in
823 paragraph (2)(d) other than high-risk status.



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824 9. Affirm that the parent is prohibited from transferring
825 and will not transfer any prepaid college plan or college
826 savings plan funds contributed pursuant to paragraph (5)(f) to
827 another beneficiary while the plan contains funds contributed
828 pursuant to this section.

829 10. Affirm that the parent will not take possession of any
830 funding provided by the state for the program ~~Florida Personal~~
831 ~~Learning Scholarship Accounts.~~

832 11. Affirm that the parent will maintain a portfolio of
833 records and materials which must be preserved ~~by the parent~~ for
834 2 years and be made available for inspection by the
835 organization, the department, or the district school
836 superintendent or the superintendent's designee upon 15 days'
837 written notice. This paragraph does not require inspection of
838 ~~the superintendent to inspect~~ the portfolio. The portfolio of
839 records and materials must consist of:

840 a. A log of educational instruction and services which is
841 made contemporaneously with delivery of the instruction and
842 services and which designates by title any reading materials
843 used; ~~and~~

844 b. Samples of any writings, worksheets, workbooks, or
845 creative materials used or developed by the student; and

846 c. Other records, documents, or materials required by the
847 organization or specified by the department in rule, to
848 facilitate program implementation.

849 (b) The parent is responsible for procuring the services
850 necessary to educate the student. When the student receives a
851 personal learning scholarship account, the district school board
852 is not obligated to provide the student with a free appropriate



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853 public education. For purposes of s. 1003.57 and the Individuals
854 with Disabilities in Education Act, a participating student has
855 only those rights that apply to all other unilaterally
856 parentally placed students, except that, when requested by the
857 parent, school district personnel must develop an individual
858 education plan or matrix level of services.

859 (c) The parent is responsible for ~~the payment of all~~
860 eligible expenses in excess of the amount of the personal
861 learning scholarship account ~~in accordance with the terms agreed~~
862 ~~to between the parent and the providers.~~

863
864 A parent who fails to comply with this subsection forfeits the
865 personal learning scholarship account.

866 (12) ADMINISTRATION OF PERSONAL LEARNING SCHOLARSHIP
867 ACCOUNTS.—~~An eligible nonprofit scholarship funding organization~~
868 ~~participating in the Florida Tax Credit Scholarship Program~~
869 ~~established under s. 1002.395~~ may establish personal learning
870 scholarship accounts for eligible students, in accordance with
871 the deadlines established in this section, by:

872 (a) Receiving completed applications and final verification
873 and determining student eligibility in accordance with the
874 requirements of this section. For initial program participation,
875 preference must first be provided to students retained on a wait
876 list created by the organization in the order that completed
877 applications are approved ~~The organization shall notify the~~
878 ~~department of the applicants for the program by March 1 before~~
879 ~~the school year in which the student intends to participate.~~
880 When a completed ~~an~~ application and final verification are ~~is~~
881 received and approved, the ~~scholarship funding~~ organization must



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882 provide the department with information on the student to enable
883 the department to report the student for funding in an amount
884 determined in accordance with subsection (13).

885 (b) Notifying parents of their receipt of a scholarship on
886 a first-come, first-served basis, after approving the completed
887 application and confirming receipt of the parent's final
888 verification, based upon the funds provided for this program in
889 the General Appropriations Act.

890 (c) Establishing a date pursuant to paragraph (3)(b) by
891 which a parent must confirm initial or continuing participation
892 in the program and confirm the establishment or continuance of a
893 personal learning scholarship account.

894 (d) Establishing a date and process pursuant to paragraph
895 (3)(b) by which completed applications may be approved and
896 students on the wait list or late-filing applicants may be
897 allowed to participate in the program during the school year,
898 within the amount of funds provided for this program in the
899 General Appropriations Act. The process must allow timely filed
900 completed applications to take precedence before late-filed
901 completed applications for purposes of creating a wait list for
902 participation in the program.

903 (e) Establishing and maintaining separate accounts for each
904 eligible student. For each account, the organization must
905 maintain a record of interest accrued that is retained in the
906 student's account and available only for authorized program
907 expenditures.

908 (f) Verifying qualifying educational expenditures pursuant
909 to the requirements of subsection (5) paragraph ~~(8)(b)~~.

910 (g) Returning any remaining program ~~unused~~ funds pursuant



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911 to paragraph (6)(c) to the department when the student is no
912 longer authorized to expend program funds. The organization may
913 reimburse a parent for authorized program expenditures made
914 during the fiscal year before funds are deposited in the
915 student's eligible for a personal scholarship learning account.

916 (h) Annually notifying the parent about the availability of
917 and the requirements associated with requesting an initial
918 matrix or matrix reevaluation annually for each student
919 participating in the program.

920 (13) FUNDING AND PAYMENT.—

921 (a)1. The maximum funding amount granted for an eligible
922 student with a disability, pursuant to this section ~~subsection~~
923 ~~(3)~~, shall be equivalent to the base student allocation in the
924 Florida Education Finance Program multiplied by the appropriate
925 cost factor for the educational program which would have been
926 provided for the student in the district school to which he or
927 she would have been assigned, multiplied by the district cost
928 differential.

929 2. In addition, an amount equivalent to a share of the
930 guaranteed allocation for exceptional students in the Florida
931 Education Finance Program shall be determined and added to the
932 amount in subparagraph 1. The calculation shall be based on the
933 methodology and the data used to calculate the guaranteed
934 allocation for exceptional students for each district in chapter
935 2000-166, Laws of Florida. Except as provided in subparagraph
936 3., the calculation shall be based on the student's grade, the
937 matrix level of services, and the difference between the 2000-
938 2001 basic program and the appropriate level of services cost
939 factor, multiplied by the 2000-2001 base student allocation and



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940 the 2000-2001 district cost differential for the sending
941 district. The calculated amount must also include an amount
942 equivalent to the per-student share of supplemental academic
943 instruction funds, instructional materials funds, technology
944 funds, and other categorical funds as provided in the General
945 Appropriations Act.

946 3. Except as otherwise provided, the calculation for all
947 students participating in the program shall be based on the
948 matrix that assigns the student to support Level III of
949 services. If a parent chooses to request and receive a matrix of
950 services from the school district, when the school district
951 completes the matrix, the amount of the payment shall be
952 adjusted as needed.

953 (b) The amount of the awarded funds shall be 90 percent of
954 the calculated amount. One hundred percent of the funds
955 appropriated for this program shall be released in the first
956 quarter of each fiscal year. Accrued interest is in addition to,
957 and not part of, the awarded funds. Program funds include both
958 the awarded funds and the accrued interest.

959 ~~(c) Upon an eligible student's graduation from an eligible~~
960 ~~postsecondary educational institution or after any period of 4~~
961 ~~consecutive years after high school graduation in which the~~
962 ~~student is not enrolled in an eligible postsecondary educational~~
963 ~~institution, the student's personal learning scholarship account~~
964 ~~shall be closed, and any remaining funds shall revert to the~~
965 ~~state.~~

966 ~~(c)-(d) The eligible nonprofit scholarship-funding~~
967 ~~organization shall develop a system for payment of benefits by~~
968 ~~electronic funds transfer, including, but not limited to, debit~~



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969 cards, electronic payment cards, or any other means of
970 ~~electronic~~ payment that the department deems to be commercially
971 viable or cost-effective. Commodities or services related to the
972 development of such a system shall be procured by competitive
973 solicitation unless they are purchased from a state term
974 contract pursuant to s. 287.056.

975 (d) An eligible nonprofit scholarship-funding organization
976 may use up to 3 percent of the total amount of payments received
977 during the state fiscal year for administrative expenses if the
978 organization has operated as an nonprofit scholarship-funding
979 organization for at least 3 fiscal years and did not have any
980 findings of material weakness or material noncompliance in its
981 most recent audit under s. 1002.395(6) (m). Such administrative
982 expenses must be reasonable and necessary for the organization's
983 management and distribution of scholarships under this section.
984 Funds authorized under this paragraph may not be used for
985 lobbying or political activity or expenses related to lobbying
986 or political activity. If an eligible nonprofit scholarship-
987 funding organization charges an application fee for a
988 scholarship, the application fee must be immediately refunded to
989 the person who paid the fee if the student is determined
990 ineligible for the program or placed on a wait list. The
991 administrative fee may not be deducted from any scholarship
992 funds, but may be provided for in the General Appropriations
993 Act. An application fee may not be deducted from any scholarship
994 funds.

995 (e) Moneys received pursuant to this section do not
996 constitute taxable income to the student or parent of the
997 qualified student.



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998 (14) OBLIGATIONS OF THE AUDITOR GENERAL.—

999 (a) The Auditor General shall conduct an annual ~~financial~~
1000 ~~and~~ operational audit of accounts and records of each ~~eligible~~
1001 ~~scholarship-funding~~ organization that participates in the
1002 program. As part of this audit, the Auditor General shall
1003 verify, at a minimum, the total amount of students served and
1004 eligibility of reimbursements made by each ~~eligible nonprofit~~
1005 ~~scholarship-funding~~ organization and transmit that information
1006 to the department.

1007 (b) The Auditor General shall notify the department of any
1008 ~~eligible nonprofit scholarship-funding~~ organization that fails
1009 to comply with a request for information.

1010 (c) The Auditor General shall provide the Commissioner of
1011 Education with a copy of each annual operational audit performed
1012 pursuant to this subsection within 10 days after each audit is
1013 finalized.

1014 (15) OBLIGATIONS RELATED TO APPROVED PROVIDERS.—The
1015 Department of Health, the Agency for Persons with Disabilities,
1016 and the Department of Education shall work with an ~~eligible~~
1017 ~~nonprofit scholarship-funding~~ organization for easy or automated
1018 access to lists of licensed providers of services specified in
1019 paragraph (5) (c) to ensure efficient administration of the
1020 program.

1021 (16) LIABILITY.—The state is not liable for the award or
1022 any use of awarded funds under this section.

1023 (17) SCOPE OF AUTHORITY.—This section does not expand the
1024 regulatory authority of this state, its officers, or any school
1025 district to impose additional regulation on participating
1026 private schools, independent ~~nonpublic~~ postsecondary educational



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1027 institutions, and private providers beyond those reasonably
1028 necessary to enforce requirements expressly set forth in this
1029 section.

1030 (18) REPORTS.—The department shall, by February 1 of each
1031 year, provide an annual report to the Governor, the President of
1032 the Senate, and the Speaker of the House of Representatives
1033 regarding the effectiveness of the Florida Personal Learning
1034 Scholarship Accounts Program. The report must address the scope
1035 and size of the program, with regard to participation and other
1036 related data, and analyze the effectiveness of the program
1037 pertaining to cost, education, and therapeutic services.

1038 (19) ~~(18)~~ RULES.—The State Board of Education shall adopt
1039 rules pursuant to ss. 120.536(1) and 120.54 to administer this
1040 section.

1041 (20) ~~(19)~~ IMPLEMENTATION SCHEDULE FOR THE 2014-2015 SCHOOL
1042 YEAR.—Notwithstanding the provisions of this section related to
1043 notification and eligibility timelines, an ~~eligible nonprofit~~
1044 ~~scholarship-funding~~ organization may enroll parents on a rolling
1045 schedule on a first-come, first-served basis, within the amount
1046 of funds provided in the General Appropriations Act. This
1047 subsection is repealed July 1, 2015.

1048 Section 11. Paragraph (j) of subsection (6) and paragraphs
1049 (a) and (b) of subsection (16) of section 1002.395, Florida
1050 Statutes, are amended to read:

1051 1002.395 Florida Tax Credit Scholarship Program.—

1052 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
1053 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
1054 organization:

1055 (j)1. May use up to 3 percent of eligible contributions



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1056 received during the state fiscal year in which such
1057 contributions are collected for administrative expenses if the
1058 organization has operated as an eligible nonprofit scholarship-
1059 funding organization ~~under this section~~ for at least 3 state
1060 fiscal years and did not have any ~~negative financial~~ findings of
1061 material weakness or material noncompliance in its most recent
1062 audit under paragraph (m). Such administrative expenses must be
1063 reasonable and necessary for the organization's management and
1064 distribution of eligible contributions under this section. No
1065 funds authorized under this subparagraph shall be used for
1066 lobbying or political activity or expenses related to lobbying
1067 or political activity. Up to one-third of the funds authorized
1068 for administrative expenses under this subparagraph may be used
1069 for expenses related to the recruitment of contributions from
1070 taxpayers. If an eligible nonprofit scholarship-funding
1071 organization charges an application fee for a scholarship, the
1072 application fee must be immediately refunded to the person that
1073 paid the fee if the student is not enrolled in a participating
1074 school within 12 months.

1075 2. Must expend for annual or partial-year scholarships an
1076 amount equal to or greater than 75 percent of the net eligible
1077 contributions remaining after administrative expenses during the
1078 state fiscal year in which such contributions are collected. No
1079 more than 25 percent of such net eligible contributions may be
1080 carried forward to the following state fiscal year. All amounts
1081 carried forward, for audit purposes, must be specifically
1082 identified for particular students, by student name and the name
1083 of the school to which the student is admitted, subject to the
1084 requirements of ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g,



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1085 and the applicable rules and regulations issued pursuant
1086 thereto. Any amounts carried forward shall be expended for
1087 annual or partial-year scholarships in the following state
1088 fiscal year. Net eligible contributions remaining on June 30 of
1089 each year that are in excess of the 25 percent that may be
1090 carried forward shall be returned to the State Treasury for
1091 deposit in the General Revenue Fund.

1092 3. Must, before granting a scholarship for an academic
1093 year, document each scholarship student's eligibility for that
1094 academic year. A scholarship-funding organization may not grant
1095 multiyear scholarships in one approval process.

1096
1097 Information and documentation provided to the Department of
1098 Education and the Auditor General relating to the identity of a
1099 taxpayer that provides an eligible contribution under this
1100 section shall remain confidential at all times in accordance
1101 with s. 213.053.

1102 (16) NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS;
1103 APPLICATION.—In order to participate in the scholarship program
1104 created under this section, a charitable organization that seeks
1105 to be a nonprofit scholarship-funding organization must submit
1106 an application for initial approval or renewal to the Office of
1107 Independent Education and Parental Choice no later than
1108 September 1 of each year before the school year for which the
1109 organization intends to offer scholarships.

1110 (a) An application for initial approval must include:

1111 1. A copy of the organization's incorporation documents and
1112 registration with the Division of Corporations of the Department
1113 of State.



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- 1114 2. A copy of the organization's Internal Revenue Service
1115 determination letter as a s. 501(c)(3) not-for-profit
1116 organization.
- 1117 3. A description of the organization's financial plan that
1118 demonstrates sufficient funds to operate throughout the school
1119 year.
- 1120 4. A description of the geographic region that the
1121 organization intends to serve and an analysis of the demand and
1122 unmet need for eligible students in that area.
- 1123 5. The organization's organizational chart.
- 1124 6. A description of the criteria and methodology that the
1125 organization will use to evaluate scholarship eligibility.
- 1126 7. A description of the application process, including
1127 deadlines and any associated fees.
- 1128 8. A description of the deadlines for attendance
1129 verification and scholarship payments.
- 1130 9. A copy of the organization's policies on conflict of
1131 interest and whistleblowers.
- 1132 10. A copy of a surety bond or letter of credit in an
1133 amount equal to 25 percent of the scholarship funds anticipated
1134 for each school year or \$100,000, whichever is greater,
1135 specifying that any claim against the bond or letter of credit
1136 may be made only by an eligible nonprofit scholarship-funding
1137 organization to provide scholarships to and on behalf of
1138 students who would have had scholarships funded but for the
1139 diversion of funds giving rise to the claim against the bond or
1140 letter of credit.
- 1141 (b) In addition to the information required by
1142 subparagraphs (a)1.-9., an application for renewal must include:



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1143 1. A surety bond or letter of credit equal to the amount of
1144 undisbursed donations held by the organization based on the
1145 annual report submitted pursuant to paragraph (6) (m). The amount
1146 of the surety bond or letter of credit must be at least
1147 \$100,000, but not more than \$25 million, specifying that any
1148 claim against the bond or letter of credit may be made only by
1149 an eligible nonprofit scholarship-funding organization to
1150 provide scholarships to and on behalf of students who would have
1151 had scholarships funded but for the diversion of funds giving
1152 rise to the claim against the bond or letter of credit.

1153 2. The organization's completed Internal Revenue Service
1154 Form 990 submitted no later than November 30 of the year before
1155 the school year that the organization intends to offer the
1156 scholarships, notwithstanding the September 1 application
1157 deadline.

1158 3. A copy of the statutorily required audit to the
1159 Department of Education and Auditor General.

1160 4. An annual report that includes:

1161 a. The number of students who completed applications, by
1162 county and by grade.

1163 b. The number of students who were approved for
1164 scholarships, by county and by grade.

1165 c. The number of students who received funding for
1166 scholarships within each funding category, by county and by
1167 grade.

1168 d. The amount of funds received, the amount of funds
1169 distributed in scholarships, and an accounting of remaining
1170 funds and the obligation of those funds.

1171 e. A detailed accounting of how the organization spent the



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1172 administrative funds allowable under paragraph (6)(j).

1173 Section 12. Paragraph (z) is added to subsection (4) of
1174 section 1009.971, Florida Statutes, to read:

1175 1009.971 Florida Prepaid College Board.—

1176 (4) FLORIDA PREPAID COLLEGE BOARD; POWERS AND DUTIES.—The
1177 board shall have the powers and duties necessary or proper to
1178 carry out the provisions of ss. 1009.97-1009.984, including, but
1179 not limited to, the power and duty to:

1180 (z) Adopt rules governing:

1181 1. The purchase and use of a prepaid college plan
1182 authorized under s. 1009.98 or a college savings plan authorized
1183 under s. 1009.981 for the Florida Personal Learning Scholarship
1184 Accounts Program pursuant to ss. 1002.385, 1009.98, and
1185 1009.981.

1186 2. The use of a prepaid college plan authorized under s.
1187 1009.98 or a college savings plan authorized under s. 1009.981
1188 for postsecondary education programs for students with
1189 disabilities.

1190 Section 13. Subsection (11) is added to section 1009.98,
1191 Florida Statutes, to read:

1192 1009.98 Stanley G. Tate Florida Prepaid College Program.—

1193 (11) IMPLEMENTATION PROCEDURES.—

1194 (a) Notwithstanding any other provision in this section, a
1195 prepaid college plan may be purchased, accounted for, used, and
1196 terminated as provided in s. 1002.385. By September 1, 2015, the
1197 board shall develop procedures, contracts, and any other
1198 required forms or documentation necessary to fully implement
1199 this subsection. The board shall enter into a contract with an
1200 organization pursuant to s. 1002.385 to enable the board to



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1201 establish mechanisms to implement this subsection, including,
1202 but not limited to, identifying the source of funds being
1203 deposited into a prepaid college plan. A qualified beneficiary
1204 may not be changed while a prepaid college plan contains funds
1205 contributed from s. 1002.385.

1206 (b) A qualified beneficiary may apply the benefits of an
1207 advance payment contract toward the program fees of a program
1208 designed for students with disabilities conducted by a state
1209 postsecondary institution. A transfer authorized under this
1210 subsection may not exceed the redemption value of the advance
1211 payment contract at a state postsecondary institution or the
1212 number of semester credit hours contracted on behalf of a
1213 qualified beneficiary.

1214 Section 14. Subsection (10) is added to section 1009.981,
1215 Florida Statutes, to read:

1216 1009.981 Florida College Savings Program.—

1217 (10) IMPLEMENTATION PROCEDURES.—

1218 (a) Notwithstanding any other provision in this section, a
1219 college savings plan may be purchased, accounted for, used, and
1220 terminated as provided in s. 1002.385. By September 1, 2015, the
1221 board shall develop procedures, contracts, and any other
1222 required forms or documentation necessary to fully implement
1223 this subsection. The board shall enter into a contract with an
1224 organization pursuant to s. 1002.385 to enable the board to
1225 establish mechanisms to implement this subsection, including,
1226 but not limited to, identifying the source of funds being
1227 deposited into a college savings plan. A designated beneficiary
1228 may not be changed while a college savings plan contains funds
1229 contributed from s. 1002.385.



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1230 (b) A designated beneficiary may apply the benefits of a
1231 participation agreement toward the program fees of a program
1232 designed for students with disabilities conducted by a state
1233 postsecondary institution.

1234 Section 15. The Department of Education shall adopt rules
1235 to implement s. 1002.385, Florida Statutes.

1236 (1) Such rules must be effective by August 1, 2015, and
1237 must include, but need not be limited to:

1238 (a) Establishing procedures concerning the student,
1239 organization, eligible private school, eligible postsecondary
1240 educational institution, or other appropriate party to
1241 participate in the program, including approval, suspension, and
1242 termination of eligibility;

1243 (b) Establishing uniform forms for use by organizations for
1244 parents and students;

1245 (c) Approving providers pertaining to the Florida K-20
1246 Education Code;

1247 (d) Incorporating program participation in existing private
1248 school scholarship program applications, including, but not
1249 limited to, ensuring that the process for obtaining eligibility
1250 under s. 1002.385, Florida Statutes, is as administratively
1251 convenient as possible for a private school;

1252 (e) Establishing a matrix of services calculations and
1253 timelines, so that the initial and revised matrix is completed
1254 by a school district in time to be included in the completed
1255 application;

1256 (f) Establishing a deadline for an organization to provide
1257 annual notice of the ability for a parent to request an initial
1258 or revised matrix of services, which must enable the initial or



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1259 revised matrix to be included in the completed application;

1260 (g) Establishing additional records, documents, or
1261 materials a parent must collect and retain in the student's
1262 portfolio;

1263 (h) Establishing preliminary timelines and procedures that
1264 enable a parent to submit a completed application to the
1265 organization, and for the organization to review and approve the
1266 completed application; and

1267 (i) Defining terms, including, but not limited to, the
1268 terms "participating student," "new student," "eligible
1269 student," "award letter," "program funds," "associated
1270 interest," "program payments," "program expenditures," "initial
1271 program participation," "program renewal," "wait list," "timely
1272 filed application," and "late-filed application."

1273 (2) Such rules should maximize flexibility and ease of
1274 program use for the parent and student.

1275 Section 16. Section 1004.084, Florida Statutes, is created
1276 to read:

1277 1004.084 College affordability.-

1278 (1) The Board of Governors and the State Board of Education
1279 shall annually identify strategies to promote college
1280 affordability for all Floridians by evaluating, at a minimum,
1281 the impact of:

1282 (a) Tuition and fees on undergraduate, graduate, and
1283 professional students at public colleges and universities and
1284 graduate assistants employed by public universities.

1285 (b) Federal, state, and institutional financial aid
1286 policies on the actual cost of attendance for students and their
1287 families.



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1288 (c) The costs of textbooks and instructional materials.
1289 (2) By December 31 of each year, beginning in 2015, the
1290 Board of Governors and the State Board of Education shall submit
1291 a report on their respective college affordability initiatives
1292 to the Governor, the President of the Senate, and the Speaker of
1293 the House of Representatives.

1294 Section 17. Section 1004.085, Florida Statutes, is amended
1295 to read:

1296 1004.085 Textbook and instructional materials
1297 affordability.—

1298 (1) As used in this section, the term "instructional
1299 materials" means educational materials for use within a course
1300 which may be available in printed or digital format.

1301 (2)~~(1)~~ An ~~No~~ employee of a Florida College System
1302 institution or state university may not demand or receive any
1303 payment, loan, subscription, advance, deposit of money, service,
1304 or anything of value, present or promised, in exchange for
1305 requiring students to purchase a specific textbook or
1306 instructional material for coursework or instruction.

1307 (3)~~(2)~~ An employee may receive:

1308 (a) Sample copies, instructor copies, or instructional
1309 materials. These materials may not be sold for any type of
1310 compensation if they are specifically marked as free samples not
1311 for resale.

1312 (b) Royalties or other compensation from sales of textbooks
1313 or instructional materials that include the instructor's own
1314 writing or work.

1315 (c) Honoraria for academic peer review of course materials.

1316 (d) Fees associated with activities such as reviewing,



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1317 critiquing, or preparing support materials for textbooks or
1318 instructional materials pursuant to guidelines adopted by the
1319 State Board of Education or the Board of Governors.

1320 (e) Training in the use of course materials and learning
1321 technologies.

1322 (4) Each Florida College System institution and state
1323 university board of trustees shall, each semester, examine the
1324 cost of textbooks and instructional materials by course and
1325 course section for all general education courses offered at the
1326 institution to identify any variance in the cost of textbooks
1327 and instructional materials among different sections of the same
1328 course and the percentage of textbooks and instructional
1329 materials that remain in use for more than one term. Courses
1330 that have a wide variance in costs among sections or that have
1331 frequent changes in textbook and instructional material
1332 selections shall be identified and sent to the appropriate
1333 academic department chair for review. This subsection is
1334 repealed July 1, 2017, unless reviewed and saved from repeal
1335 through reenactment by the Legislature.

1336 (5)~~(3)~~ Each Florida College System institution ~~institutions~~
1337 and state university ~~universities~~ shall post prominently in the
1338 course registration system and on its website ~~on their websites,~~
1339 as early as is feasible, but at least 45 ~~not less than 30~~ days
1340 before ~~prior to~~ the first day of class for each term, a
1341 hyperlink to lists ~~list~~ of each textbook required and
1342 recommended textbooks and instructional materials for at least
1343 95 percent of all courses and ~~each~~ course sections offered at
1344 the institution during the upcoming term. The lists ~~posted list~~
1345 must include the International Standard Book Number (ISBN) for



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1346 each required and recommended textbook and instructional
1347 material or other identifying information, which must include,
1348 at a minimum, all of the following: the title, all authors
1349 listed, publishers, edition number, copyright date, published
1350 date, and other relevant information necessary to identify the
1351 specific ~~textbook or~~ textbooks or instructional materials
1352 required and recommended for each course. The State Board of
1353 Education and the Board of Governors shall include in the
1354 policies, procedures, and guidelines adopted under subsection
1355 (6) ~~(4)~~ certain limited exceptions to this notification
1356 requirement for classes added after the notification deadline.

1357 (6) ~~(4)~~ After receiving input from students, faculty,
1358 bookstores, and publishers, the State Board of Education and the
1359 Board of Governors each shall adopt textbook and instructional
1360 material affordability policies, procedures, and guidelines for
1361 implementation by Florida College System institutions and state
1362 universities, respectively, that further efforts to minimize the
1363 cost of textbooks and instructional materials for students
1364 attending such institutions while maintaining the quality of
1365 education and academic freedom. The policies, procedures, and
1366 guidelines shall address ~~provide for the following:~~

1367 (a) The establishment of deadlines for an instructor or
1368 department to notify the bookstore of required and recommended
1369 textbooks and instructional materials so that a bookstore may
1370 verify availability, source lower cost options when practicable,
1371 explore alternatives with faculty when academically appropriate,
1372 and maximize availability of used textbooks and instructional
1373 materials ~~That textbook adoptions are made with sufficient lead~~
1374 ~~time to bookstores so as to confirm availability of the~~



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1375 ~~requested materials and, where possible, ensure maximum~~
1376 ~~availability of used books.~~

1377 (b) Confirmation by the course instructor or academic
1378 department offering the course, before the textbook or
1379 instructional material adoption is finalized ~~That, in the~~
1380 ~~textbook adoption process, of the intent to use all items~~
1381 ~~ordered, particularly each individual item sold as part of a~~
1382 ~~bundled package, is confirmed by the course instructor or the~~
1383 ~~academic department offering the course before the adoption is~~
1384 ~~finalized.~~

1385 (c) Determination by ~~That~~ a course instructor or the
1386 academic department offering the course ~~determines,~~ before a
1387 textbook or instructional material is adopted, of the extent to
1388 which a new edition differs significantly and substantively from
1389 earlier versions and the value to the student of changing to a
1390 new edition or the extent to which an open-access textbook or
1391 instructional material is available ~~may exist and be used.~~

1392 ~~(d) That the establishment of policies shall address~~ The
1393 availability of required and recommended textbooks and
1394 instructional materials to students otherwise unable to afford
1395 the cost, including consideration of the extent to which an
1396 open-access textbook or instructional material may be used.

1397 (e) Participation by ~~That~~ course instructors and academic
1398 departments ~~are encouraged to participate~~ in the development,
1399 adaptation, and review of open-access textbooks and
1400 instructional materials and, in particular, open-access
1401 textbooks and instructional materials for high-demand general
1402 education courses.

1403 (f) Consultation with school districts to identify



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1404 practices that impact the cost of dual enrollment textbooks and
1405 instructional materials to school districts, including but not
1406 limited to, the length of time that textbooks or instructional
1407 materials remain in use.

1408 (g) Selection of textbooks and instructional materials
1409 through cost-benefit analyses that enable students to obtain the
1410 highest-quality product at the lowest available price, by
1411 considering:

1412 1. Purchasing digital textbooks in bulk.

1413 2. Expanding the use of open-access textbooks and
1414 instructional materials.

1415 3. Providing rental options for textbooks and instructional
1416 materials.

1417 4. Increasing the availability and use of affordable
1418 digital textbooks and learning objects.

1419 5. Developing mechanisms to assist in buying, renting,
1420 selling, and sharing textbooks and instructional materials.

1421 6. The length of time that textbooks and instructional
1422 materials remain in use.

1423 (7) The board of trustees of each Florida College System
1424 institution and state university shall report, by September 30
1425 of each year, beginning in 2015, to the Chancellor of the
1426 Florida College System or the Chancellor of the State University
1427 System, as applicable, the textbook and instructional material
1428 selection process for general education courses with a wide cost
1429 variance identified pursuant to subsection (4) and high-
1430 enrollment courses; specific initiatives of the institution
1431 designed to reduce the costs of textbooks and instructional
1432 materials; policies implemented in accordance with subsection



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1433 (6); the number of courses and course sections that were not
1434 able to meet the textbook and instructional materials posting
1435 deadline for the previous academic year; and any additional
1436 information determined by the chancellors. By November 1 of each
1437 year, beginning in 2015, each chancellor shall provide a summary
1438 of the information provided by institutions to the State Board
1439 of Education and the Board of Governors, as applicable.

1440 Section 18. Present subsections (5) and (6) of section
1441 1006.735, Florida Statutes, are redesignated as subsections (6)
1442 and (7), respectively, and a new subsection (5) is added to that
1443 section, to read:

1444 1006.735 Complete Florida Plus Program.—The Complete
1445 Florida Plus Program is created at the University of West
1446 Florida.

1447 (5) RAPID RESPONSE EDUCATION AND TRAINING PROGRAM.—The
1448 Rapid Response Education and Training Program is established
1449 within the Complete Florida Plus Program. Under this education
1450 and training program, the Complete Florida Plus Program shall
1451 work directly with Enterprise Florida, Inc., in project-specific
1452 industry recruitment and retention efforts to offer credible
1453 education and training commitments to businesses.

1454 (a) The Rapid Response Education and Training Program must:

1455 1. Issue challenge grants through requests for proposals
1456 that are open to all education and training providers, public or
1457 private. These grants match state dollars with education and
1458 training provider dollars to implement particular education and
1459 training programs.

1460 2. Generate periodic reports from an independent forensic
1461 accounting or auditing entity to ensure transparency of the



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1462 program. These periodic reports must be submitted to the
1463 President of the Senate and the Speaker of the House of
1464 Representatives.

1465 3. Keep administrative costs to a minimum through the use
1466 of existing organizational structures.

1467 4. Work directly with businesses to recruit individuals for
1468 education and training.

1469 5. Be able to terminate an education and training program
1470 by giving 30 days' notice.

1471 6. Survey employers after completion of an education and
1472 training program to ascertain the effectiveness of the program.

1473 (b) The Division of Career and Adult Education within the
1474 Department of Education shall conduct an analysis and assessment
1475 of the effectiveness of the education and training programs
1476 under this section in meeting labor market and occupational
1477 trends and gaps.

1478 Section 19. Paragraph (d) of subsection (3) of section
1479 1009.22, Florida Statutes, is amended to read:

1480 1009.22 Workforce education postsecondary student fees.—

1481 (3)

1482 (d) Each district school board and each Florida College
1483 System institution board of trustees may adopt tuition and out-
1484 of-state fees that vary ~~no more than 5 percent~~ below or no more
1485 than 5 percent above the combined total of the standard tuition
1486 and out-of-state fees established in paragraph (c).

1487 Section 20. Paragraph (b) of subsection (3) and subsection
1488 (4) of section 1009.23, Florida Statutes, are amended, and
1489 subsection (20) is added to that section, to read:

1490 1009.23 Florida College System institution student fees.—



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1491 (3)
1492 (b) ~~Effective July 1, 2014,~~ For baccalaureate degree
1493 programs, the following tuition and fee rates shall apply:
1494 1. The tuition may not exceed ~~shall be~~ \$91.79 per credit
1495 hour for students who are residents for tuition purposes.
1496 2. The sum of the tuition and the ~~he~~ out-of-state fee per
1497 credit hour for students who are nonresidents for tuition
1498 purposes shall be no more than 85 percent of the sum of the
1499 tuition and the out-of-state fee at the state university nearest
1500 the Florida College System institution.
1501 (4) Each Florida College System institution board of
1502 trustees shall establish tuition and out-of-state fees, which
1503 may vary ~~no more than 10 percent~~ below and no more than 15
1504 percent above the combined total of the standard tuition and
1505 fees established in subsection (3).
1506 (20) Each Florida College System institution shall notice
1507 to the public and to all enrolled students any board of trustees
1508 meeting that votes on proposed increases in tuition or fees. The
1509 noticed meeting must allow for public comment on the proposed
1510 increase and must:
1511 (a) Be posted 28 days before the board of trustees meeting
1512 takes place.
1513 (b) Include the date and time of the meeting.
1514 (c) Be clear and specifically outline the details of the
1515 original tuition or fee, the rationale for the proposed
1516 increase, and what the proposed increase will fund.
1517 (d) Be posted on the institution's website homepage and
1518 issued in a press release.
1519 Section 21. Paragraphs (a) and (b) of subsection (4) of



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1520 section 1009.24, Florida Statutes, are amended, present
1521 subsection (19) of that section is redesignated as subsection
1522 (20), and a new subsection (19) is added to that section, to
1523 read:

1524 1009.24 State university student fees.-

1525 (4) (a) ~~Effective July 1, 2014,~~ The resident undergraduate
1526 tuition for lower-level and upper-level coursework may not
1527 exceed ~~shall be~~ \$105.07 per credit hour.

1528 (b) The Board of Governors, ~~or the board's designee,~~ may
1529 establish tuition for graduate and professional programs, and
1530 out-of-state fees for all programs. Except as otherwise provided
1531 in this section, the sum of tuition and out-of-state fees
1532 assessed to nonresident students must be sufficient to offset
1533 the full instructional cost of serving such students. However,
1534 adjustments to out-of-state fees or tuition for graduate
1535 programs and professional programs may not exceed 15 percent in
1536 any year. Adjustments to the resident tuition for graduate
1537 programs and professional programs may not exceed the tuition
1538 amount set on July 1, 2015.

1539 (19) Each university shall publicly notice to the public
1540 and to all enrolled students any board of trustees meeting that
1541 votes on proposed increases in tuition or fees. The noticed
1542 meeting must allow for public comment on the proposed increase
1543 and must:

1544 (a) Be posted 28 days before the board of trustees meeting
1545 takes place.

1546 (b) Include the date and time of the meeting.

1547 (c) Be clear and specifically outline the details of the
1548 original tuition or fee, the rationale for the proposed



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1549 increase, and what the proposed increase will fund.

1550 (d) Be posted on the institution's website homepage and
1551 issued in a press release.

1552 Section 22. Section 1004.6501, Florida Statutes, is created
1553 to read:

1554 1004.6501 Florida Postsecondary Comprehensive Transition
1555 Program and the Florida Center for Students with Unique
1556 Abilities.—

1557 (1) SHORT TITLE.—This section shall be known and may be
1558 cited as the "Florida Postsecondary Comprehensive Transition
1559 Program Act."

1560 (2) PURPOSE AND LEGISLATIVE INTENT.—The purpose of this
1561 section is to increase independent living, inclusive and
1562 experiential postsecondary education, and employment
1563 opportunities for students with intellectual disabilities
1564 through degree, certificate, or nondegree programs and to
1565 establish statewide coordination of the dissemination of
1566 information regarding programs and services for students with
1567 disabilities. It is the intent of the Legislature that students
1568 with intellectual disabilities and students with disabilities
1569 have access to meaningful postsecondary education credentials
1570 and a meaningful campus experience.

1571 (3) DEFINITIONS.—As used in this section, the term:

1572 (a) "Center" means the Florida Center for Students with
1573 Unique Abilities established under subsection (5).

1574 (b) "Director" means the director of the center.

1575 (c) "Eligible institution" means a state university; a
1576 Florida College System institution; a career center; a charter
1577 technical career center; or an independent college or university



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1578 that is located and chartered in this state, is not for profit,
1579 is accredited by the Commission on Colleges of the Southern
1580 Association of Colleges and Schools, and is eligible to
1581 participate in the William L. Boyd, IV, Florida Resident Access
1582 Grant Program.

1583 (d) "Florida Postsecondary Comprehensive Transition Program
1584 Scholarship" or "scholarship" means the scholarship established
1585 under this section to provide state financial assistance awards
1586 to students who meet the student eligibility requirements
1587 specified in subsection (4) and are enrolled in an FPCTP.

1588 (e) "FPCTP" means a Florida Postsecondary Comprehensive
1589 Transition Program that is approved pursuant to paragraph (5) (b)
1590 and offered by an eligible institution.

1591 (f) "Transitional student" means a student who is 18 to 26
1592 years of age and meets the student eligibility requirements
1593 specified in subsection (4).

1594 (4) STUDENT ELIGIBILITY.—To be eligible to enroll in an
1595 FPCTP at an eligible institution, a student must, as determined
1596 by the institution, based on guidelines established by the
1597 center:

1598 (a) Be a "student with an intellectual disability" as that
1599 term is defined in 20 U.S.C. s. 1140(2), including, but not
1600 limited to, a transitional student.

1601 (b) Physically attend the eligible institution.

1602 (c) Submit to the eligible institution documentation
1603 regarding his or her intellectual disability. Such documentation
1604 may include, but not be limited to, a current individualized
1605 plan for employment associated with an evaluation completed
1606 pursuant to s. 413.20(3) or a diagnosis from a physician who is



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1607 licensed under chapter 458 or chapter 459 or a psychologist
1608 licensed under chapter 490.

1609 (5) CENTER RESPONSIBILITIES.—The Florida Center for
1610 Students with Unique Abilities is established within the
1611 University of Central Florida. At a minimum, the center shall:

1612 (a) Disseminate information to students with disabilities
1613 and their parents, including, but not limited to:

1614 1. Education programs, services, and resources that are
1615 available at eligible institutions.

1616 2. Supports, accommodations, technical assistance, or
1617 training provided by eligible institutions, the advisory council
1618 established pursuant to s. 383.141, and regional autism centers
1619 established pursuant to s. 1004.55.

1620 3. Mentoring, networking, and employment opportunities.

1621 (b) Coordinate and facilitate the statewide implementation
1622 of this section. The director of the center shall oversee the
1623 approval of the comprehensive transition programs.

1624 Notwithstanding the program approval requirements of s. 1004.03,
1625 the director shall review applications for the initial approval
1626 of an application for, or renewal of approval of, a
1627 comprehensive transition program proposed by an eligible
1628 institution. Within 30 days after receipt of an application, the
1629 director shall issue his or her recommendation regarding
1630 approval to the Chancellor of the State University System or the
1631 Commissioner of Education, as applicable, or shall give written
1632 notice to the applicant of any deficiencies in the application,
1633 which the eligible institution must be given an opportunity to
1634 correct. Within 15 days after receipt of a notice of
1635 deficiencies, the eligible institution shall, if the eligible



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1636 institution seeks program approval, correct the application
1637 deficiencies and return the application to the center. Within 30
1638 days after receipt of a revised application, the director shall
1639 recommend approval or disapproval of the revised application to
1640 the chancellor or the commissioner, as applicable. Within 15
1641 days after receipt of the director's recommendation for approval
1642 or disapproval, the chancellor or the commissioner shall approve
1643 or disapprove the recommendation. If the chancellor or the
1644 commissioner does not take action on the director's
1645 recommendation within 15 days after receipt of such
1646 recommendation, the comprehensive transition program proposed by
1647 the institution shall be considered an FPCTP by default.

1648 Additionally, the director shall:

1649 1. Consult and collaborate with the National Center and the
1650 Coordinating Center, as identified in 20 U.S.C. s. 1140q,
1651 regarding guidelines established by the center for effective
1652 implementation of the programs for students with disabilities
1653 and for students with intellectual disabilities which align with
1654 the federal requirements and standards, quality indicators, and
1655 benchmarks identified by the National Center and the
1656 Coordinating Center.

1657 2. Consult and collaborate with the Higher Education
1658 Coordinating Council to identify meaningful credentials for
1659 FPCTPs and to engage businesses and stakeholders to promote
1660 experiential training and employment opportunities for students
1661 with intellectual disabilities.

1662 3. Create the application for the initial approval and
1663 renewal of approval as an FPCTP for use by an eligible
1664 institution which, at a minimum, must align with the federal



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1665 comprehensive transition and postsecondary program application
1666 requirements.
1667 4. Establish requirements and timelines for the:
1668 a. Submission and review of an application.
1669 b. Approval or disapproval of an initial or renewal
1670 application. Initial approval of an application for an FPCTP
1671 that meets the requirements of subsection (6) is valid for the 3
1672 academic years immediately following the academic year during
1673 which the approval is granted. An eligible institution may
1674 submit an application to the center requesting that the initial
1675 approval be renewed. If the approval is granted and the FPCTP
1676 continues to meet the requirements of this section, including,
1677 but not limited to, program and student performance outcomes,
1678 and federal requirements, a renewal is valid for the 5 academic
1679 years immediately following the academic year during which the
1680 renewal is initially granted.
1681 c. Implementation of an FPCTP, beginning no later than the
1682 academic year immediately following the academic year during
1683 which the approval is granted.
1684 5. Administer scholarship funds.
1685 6. Oversee and report on the implementation and
1686 administration of this section by planning, advising, and
1687 evaluating approved degree, certificate, and nondegree programs
1688 and the performance of students and programs pursuant to
1689 subsection (8).
1690 (c) Provide technical assistance regarding programs and
1691 services for students with intellectual disabilities to
1692 administrators, instructors, staff, and others, as applicable,
1693 at eligible institutions by:



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1694 1. Holding meetings and annual workshops to share
1695 successful practices and to address issues or concerns.

1696 2. Facilitating collaboration between eligible institutions
1697 and school districts, private schools pursuant to s. 1002.42,
1698 and parents of students enrolled in home education programs
1699 pursuant to s. 1002.41 in assisting students with intellectual
1700 disabilities and their parents to plan for the transition of
1701 such students into an FPCTP or another program at an eligible
1702 institution.

1703 3. Assisting eligible institutions with state FPCTP and
1704 federal comprehensive transition and postsecondary program
1705 applications.

1706 4. Assisting eligible institutions with the identification
1707 of funding sources for an FPCTP and for student financial
1708 assistance for students enrolled in an FPCTP.

1709 5. Monitoring federal and state law relating to the
1710 comprehensive transition program and notifying the Legislature,
1711 the Governor, the Board of Governors, and the State Board of
1712 Education of any change in law which may impact the
1713 implementation of this section.

1714 (6) INSTITUTION ELIGIBILITY AND RESPONSIBILITIES.—

1715 (a) To offer an FPCTP, the president or executive director
1716 of an eligible institution, as applicable, must submit to the
1717 center, by a date established by the center, the following:

1718 1. An application for approval of a comprehensive
1719 transition program proposed by the eligible institution which
1720 must be approved by the institution's governing board and must
1721 address the requirements of the federal comprehensive transition
1722 and postsecondary program under 20 U.S.C. s. 1140 and the



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1723 requirements of this section, including, but not limited to:

1724 a. Identification of a credential associated with the
1725 proposed program, which is awarded to a student with an
1726 intellectual disability who meets the student eligibility
1727 requirements specified in subsection (4) upon completion of the
1728 FPCTP.

1729 b. The program length and design, including, at a minimum,
1730 inclusive and successful experiential education practices
1731 relating to curricular, assessment, and advising structure and
1732 internship and employment opportunities which must support
1733 students with intellectual disabilities who are seeking to
1734 continue academic, career and technical, and independent living
1735 instruction at an eligible institution, including, but not
1736 limited to, opportunities to earn industry certifications, to
1737 prepare students for gainful employment. If offering a college
1738 credit-bearing degree program, an institution shall be
1739 responsible for maintaining the rigor and effectiveness of a
1740 comprehensive transition degree program at the same level as
1741 another comparable degree program offered by the institution
1742 pursuant to the applicable accreditation standards.

1743 c. The plan for students with intellectual disabilities to
1744 be integrated socially and academically with nondisabled
1745 students, to the maximum extent possible, and to participate on
1746 not less than a half-time basis, as determined by the eligible
1747 institution, with such participation focusing on academic
1748 components and occurring through one or more of the following
1749 activities with nondisabled students:

1750 (I) Regular enrollment in credit-bearing courses offered by
1751 the institution.



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1752 (II) Auditing or participating in courses offered by the
1753 institution for which the student does not receive academic
1754 credit.

1755 (III) Enrollment in noncredit-bearing, nondegree courses.
1756 (IV) Participation in internships or work-based training.

1757 d. The plan for partnerships with businesses to promote
1758 experiential training and employment opportunities for students
1759 with intellectual disabilities.

1760 e. Performance indicators pursuant to subsection (8) and
1761 other requirements identified by the center.

1762 f. A 5-year plan incorporating enrollment and operational
1763 expectations for the program.

1764 2. Documented evidence of a federally approved
1765 comprehensive transition and postsecondary program that is
1766 determined to be an eligible program for the federal student aid
1767 programs and is currently offered at the institution, documented
1768 evidence of the submission of an application for such federal
1769 approval of a comprehensive transition and postsecondary program
1770 proposed by the institution, or documentation demonstrating the
1771 commitment of the institution's governing board to submit an
1772 application within the subsequent academic year for federal
1773 approval of a comprehensive transition and postsecondary program
1774 proposed by the institution pursuant to 20 U.S.C. s. 1140.

1775 (b) An eligible institution may submit an application to
1776 the center for approval pursuant to the requirements of this
1777 section for implementation of the FPCTP no later than the
1778 academic year immediately following the academic year during
1779 which the approval is granted. An eligible institution must
1780 submit a renewal application to the center no later than 3 years



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1781 following the year during which the approval is initially
1782 granted.

1783 (c) By August 1 of each year, an eligible institution that
1784 has an FPCTP shall submit an annual report to the center which,
1785 at minimum, for the prior academic year, addresses the following
1786 performance indicators:

1787 1. Efforts to recruit students in the FPCTP and the number
1788 of students enrolled in the program.

1789 2. Efforts to retain students in the FPCTP and the
1790 retention rate of students in the program.

1791 3. The completion rate of students enrolled in the FPCTP
1792 and courses, as applicable.

1793 4. Transition success of students who complete an FPCTP, as
1794 measured by employment rates and salary levels at 1 year and 5
1795 years after completion.

1796 5. Other performance indicators identified by the center
1797 pursuant to subsection (8).

1798 (d) An eligible institution shall notify students with
1799 intellectual disabilities and their parents of the student
1800 eligibility requirements specified in subsection (4) and the
1801 scholarship requirements and eligibility requirements specified
1802 in subsection (7).

1803 (7) FLORIDA POSTSECONDARY COMPREHENSIVE TRANSITION PROGRAM
1804 SCHOLARSHIP.—

1805 (a) Beginning in the 2015-2016 academic year, the Florida
1806 Postsecondary Comprehensive Transition Program Scholarship is
1807 established for students who meet the student eligibility
1808 requirements specified in subsection (4), are enrolled in an
1809 FPCTP, and are not receiving services that are funded through



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1810 the Florida Education Finance Program or a scholarship under
1811 part III of chapter 1002.

1812 (b) To maintain eligibility to receive a scholarship, a
1813 student must continue to meet the requirements of paragraph (a)
1814 and must demonstrate satisfactory academic progress in the
1815 FPCTP, as determined by the eligible institution that the
1816 student attends, based on the indicators identified by the
1817 center pursuant to subsection (8).

1818 (c) Payment of scholarship funds shall be transmitted to
1819 the director of the center, or to his or her designee, in
1820 advance of the registration period. The director, or his or her
1821 designee, shall disburse the scholarship funds to the eligible
1822 institutions that are responsible for awarding the scholarship
1823 to students who meet the requirements of paragraphs (a) and (b).

1824 (d) During each academic term, by a date established by the
1825 center, an eligible institution shall report to the center the
1826 number and value of all scholarships awarded under this
1827 subsection. Each eligible institution shall also report to the
1828 center necessary demographic and eligibility data and other data
1829 requested by the center for students who received the
1830 scholarship awards.

1831 (e) By a date annually established by the center, each
1832 eligible institution shall certify to the center the amount of
1833 funds disbursed to each student and shall remit to the center
1834 any undisbursed advances by June 1 of each year.

1835 (f) Funding for the scholarship and the maximum allowable
1836 award shall be as provided annually in the General
1837 Appropriations Act. If funds appropriated are not adequate to
1838 provide the maximum allowable award to each eligible student,



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1839 the awards may be prorated.

1840 (8) ACCOUNTABILITY.—

1841 (a) The center, in collaboration with the Board of
1842 Governors and the State Board of Education, shall identify
1843 indicators for the satisfactory progress of a student in an
1844 FPCTP and for the performance of such programs. Each eligible
1845 institution must address the indicators identified by the center
1846 in its application for the approval of a proposed FPCTP and for
1847 the renewal of an FPCTP and in the annual report that the
1848 institution submits to the center.

1849 (b) By October 1 of each year, the center shall provide to
1850 the Governor, the President of the Senate, the Speaker of the
1851 House of Representatives, the Chancellor of the State University
1852 System, and the Commissioner of Education, a summary of
1853 information including, but not limited to:

1854 1. The status of the statewide coordination of FPCTPs and
1855 the implementation of FPCTPs at eligible institutions including,
1856 but not limited to:

1857 a. The number of applications approved and disapproved and
1858 the reasons for each disapproval and no action taken by the
1859 chancellor or the commissioner.

1860 b. The number and value of all scholarships awarded to
1861 students and undisbursed advances remitted to the center
1862 pursuant to subsection (7).

1863 2. Indicators identified by the center pursuant to
1864 paragraph (a) and the performance of each eligible institution
1865 based on the indicators identified in paragraph (6) (c).

1866 3. The projected number of students with intellectual
1867 disabilities who may be eligible to enroll in the FPCTPs within



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1868 the next academic year.

1869 4. Education programs and services for students with
1870 intellectual disabilities which are available at an eligible
1871 institution.

1872 (c) Beginning in the 2015-2016 fiscal year, the center, in
1873 collaboration with the Board of Governors, State Board of
1874 Education, Higher Education Coordinating Council, and other
1875 stakeholders, by December 1 each year, shall submit to the
1876 Governor, the President of the Senate, and the Speaker of the
1877 House of Representatives statutory or budget recommendations for
1878 improving the implementation and delivery of FPCTPs and other
1879 education programs and services for students with disabilities.

1880 (9) RULES.—The Board of Governors and the State Board of
1881 Education, in consultation with the center, shall expeditiously
1882 adopt the necessary regulations and rules, as applicable, to
1883 allow the center to perform its responsibilities pursuant to
1884 this section beginning in the 2015-2016 fiscal year.

1885 Section 23. Effective January 1, 2016, section 17.68,
1886 Florida Statutes, is created to read:

1887 17.68 Financial Literacy Program for Individuals with
1888 Developmental Disabilities.—

1889 (1) The Legislature finds that the state has a compelling
1890 interest in promoting the economic independence and successful
1891 employment of individuals with developmental disabilities as
1892 defined in s. 393.063. In comparison with the general
1893 population, individuals with developmental disabilities
1894 experience lower rates of educational achievement, employment,
1895 and annual earnings and are more likely to live in poverty.
1896 Additionally, such individuals must navigate a complex network



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1897 of federal and state programs in order to be eligible for
1898 financial and health benefits. Thus, it is essential that these
1899 individuals have sufficient financial management knowledge and
1900 skills to be able to comply with the benefit eligibility
1901 processes and make informed decisions regarding financial
1902 services and products provided by financial institutions.
1903 Enhancing the financial literacy of such individuals will
1904 provide a pathway for economic independence and successful
1905 employment.

1906 (2) The Financial Literacy Program for Individuals with
1907 Developmental Disabilities is established within the Department
1908 of Financial Services. The department, in consultation with
1909 public and private stakeholders, shall develop and implement the
1910 program, which shall be designed to promote the economic
1911 independence and successful employment of individuals with
1912 developmental disabilities. Banks, credit unions, savings
1913 associations, and savings banks will be key participants in the
1914 development and promotion of the program. The program must
1915 provide information, resources, outreach, and education on the
1916 following issues:

1917 (a) For individuals with developmental disabilities:

1918 1. Financial education, including instruction on money
1919 management skills and the effective use of financial services
1920 and products, to promote income preservation and asset
1921 development.

1922 2. Identification of available financial and health benefit
1923 programs and services.

1924 3. Job training programs and employment opportunities,
1925 including work incentives and state and local workforce



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1926 development programs.
1927 4. The impact of earnings and assets on federal and state
1928 financial and health benefit programs and options to manage such
1929 impact.
1930 (b) For employers in this state, strategies to make program
1931 information and educational materials available to their
1932 employees with developmental disabilities.
1933 (3) The department shall:
1934 (a) Establish on its website a clearinghouse for
1935 information regarding the program and other resources available
1936 for individuals with developmental disabilities and their
1937 employers.
1938 (b) Publish a brochure that describes the program and is
1939 accessible on its website.
1940 (4) Within 90 days after the department establishes its
1941 website and publishes its brochure, each bank, savings
1942 association, and savings bank that is a qualified public
1943 depository as defined in s. 280.02 shall:
1944 (a) Make copies of the department's brochures available,
1945 upon the request of the consumer, at its principal place of
1946 business and each branch office located in this state which has
1947 in-person teller services by having copies of the brochure
1948 available or having the capability to print a copy of the
1949 brochure from the department's website. Upon request, the
1950 department shall provide copies of the brochure to a bank,
1951 savings association, or savings bank.
1952 (b) Provide on its website a hyperlink to the department's
1953 website for the program. If the department changes its website
1954 address for the program, the bank, savings association, or



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1955 savings bank must update the hyperlink within 90 days after
1956 notification by the department of such change.

1957 Section 24. Section 110.107, Florida Statutes, is reordered
1958 and amended to read:

1959 110.107 Definitions.—As used in this chapter, the term:

1960 (5)~~(1)~~ "Department" means the Department of Management
1961 Services.

1962 (28)~~(2)~~ "Secretary" means the Secretary of Management
1963 Services.

1964 (11)~~(3)~~ "Furlough" means a temporary reduction in the
1965 regular hours of employment in a pay period, or temporary leave
1966 without pay for one or more pay periods, with a commensurate
1967 reduction in pay, which is necessitated by a projected deficit
1968 in any fund that supports salary and benefit appropriations. The
1969 deficit must be projected by the Revenue Estimating Conference
1970 pursuant to s. 216.136(3).

1971 (30)~~(4)~~ "State agency" or "agency" means any official,
1972 officer, commission, board, authority, council, committee, or
1973 department of the executive branch or the judicial branch of
1974 state government as defined in chapter 216.

1975 (21)~~(5)~~ "Position" means the work, consisting of duties and
1976 responsibilities, assigned to be performed by an officer or
1977 employee.

1978 (10)~~(6)~~ "Full-time position" means a position authorized
1979 for the entire normally established work period, whether daily,
1980 weekly, monthly, or annually.

1981 (18)~~(7)~~ "Part-time position" means a position authorized
1982 for less than the entire normally established work period,
1983 whether daily, weekly, monthly, or annually.



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1984 ~~(16)-(8)~~ "Occupation" means all positions that ~~which~~ are
1985 sufficiently similar in knowledge, skills, ~~and~~ abilities, and
1986 the ~~sufficiently similar as to~~ kind or subject matter of work.

1987 ~~(17)-(9)~~ "Occupational group" means a group of occupations
1988 that ~~which~~ are sufficiently similar in the kind of work
1989 performed to warrant the use of the same performance factors in
1990 determining the level of complexity for all occupations in that
1991 occupational group.

1992 ~~(3)-(10)~~ "Classification plan" means a formal description of
1993 the concepts, rules, job family definitions, occupational group
1994 characteristics, and occupational profiles used in the
1995 classification of positions.

1996 ~~(20)-(11)~~ "Pay plan" means a formal description of the
1997 philosophy, methods, procedures, and salary schedules for
1998 competitively compensating employees at market-based rates for
1999 work performed.

2000 ~~(27)-(12)~~ "Salary schedule" means an official document that
2001 ~~which~~ contains a complete list of occupation titles, broadband
2002 level codes, and pay bands.

2003 ~~(1)-(13)~~ "Authorized position" means a position included in
2004 an approved budget. In counting the number of authorized
2005 positions, part-time positions may be converted to full-time
2006 equivalents.

2007 ~~(8)-(14)~~ "Established position" means an authorized position
2008 that ~~which~~ has been classified in accordance with a
2009 classification and pay plan as provided by law.

2010 ~~(22)-(15)~~ "Position number" means the identification number
2011 assigned to an established position.

2012 ~~(26)-(16)~~ "Reclassification" means the changing of an



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2013 established position in one broadband level in an occupational
2014 group to a higher or lower broadband level in the same
2015 occupational group or to a broadband level in a different
2016 occupational group.

2017 ~~(24)~~~~(17)~~ "Promotion" means the changing of the
2018 classification of an employee to a broadband level having a
2019 higher maximum salary; or the changing of the classification of
2020 an employee to a broadband level having the same or a lower
2021 maximum salary but a higher level of responsibility.

2022 ~~(4)~~~~(18)~~ "Demotion" means the changing of the classification
2023 of an employee to a broadband level having a lower maximum
2024 salary; or the changing of the classification of an employee to
2025 a broadband level having the same or a higher maximum salary but
2026 a lower level of responsibility.

2027 ~~(32)~~~~(19)~~ "Transfer" means moving an employee from one
2028 geographic location of the state to a different geographic
2029 location more than ~~in excess of~~ 50 miles from the employee's
2030 current work location.

2031 ~~(25)~~~~(20)~~ "Reassignment" means moving an employee from a
2032 position in one broadband level to a different position in the
2033 same broadband level or to a different broadband level having
2034 the same maximum salary.

2035 ~~(6)~~~~(21)~~ "Dismissal" means a disciplinary action taken by an
2036 agency pursuant to s. 110.227 against an employee which results
2037 ~~resulting~~ in the termination of his or her employment.

2038 ~~(31)~~~~(22)~~ "Suspension" means a disciplinary action taken by
2039 an agency pursuant to s. 110.227 against an employee which ~~to~~
2040 temporarily relieves ~~relieve~~ the employee of his or her duties
2041 and places ~~place~~ him or her on leave without pay.



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2042 ~~(15)-(23)~~ "Layoff" means termination of employment due to a
2043 shortage of funds or work, or a material change in the duties or
2044 organization of an agency, including the outsourcing or
2045 privatization of an activity or function previously performed by
2046 career service employees.

2047 ~~(7)-(24)~~ "Employing agency" means any agency authorized to
2048 employ personnel to carry out the responsibilities of the agency
2049 under the provisions of chapter 20 or other law ~~statutory~~
2050 ~~authority~~.

2051 ~~(29)-(25)~~ "Shared employment" means part-time career
2052 employment in which ~~whereby~~ the duties and responsibilities of a
2053 full-time position in the career service are divided among part-
2054 time employees who are eligible for the position and who receive
2055 career service benefits and wages pro rata. The term ~~In no case~~
2056 ~~shall~~ "shared employment" does not include the employment of
2057 persons paid from other-personal-services funds.

2058 ~~(9)-(26)~~ "Firefighter" means a firefighter certified under
2059 chapter 633.

2060 ~~(14)-(27)~~ "Law enforcement or correctional officer" means a
2061 law enforcement officer, special agent, correctional officer,
2062 correctional probation officer, or institutional security
2063 specialist ~~required to be~~ certified under chapter 943.

2064 ~~(23)-(28)~~ "Professional health care provider" means
2065 registered nurses, physician's assistants, dentists,
2066 psychologists, nutritionists or dietitians, pharmacists,
2067 psychological specialists, physical therapists, and speech and
2068 hearing therapists.

2069 ~~(13)-(29)~~ "Job family" means a defined grouping of one or
2070 more occupational groups.



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2071 ~~(19)(30)~~ "Pay band" means the minimum salary, the maximum
2072 salary, and intermediate rates that ~~which~~ are payable for work
2073 in a specific broadband level.

2074 ~~(2)(31)~~ "Broadband level" means all positions that ~~which~~
2075 are sufficiently similar in knowledge, skills, and abilities;
2076 ~~the, and sufficiently similar as to~~ kind or subject matter of
2077 work; ~~the,~~ level of difficulty or the level of
2078 responsibilities;~~;~~ and the qualification requirements of the
2079 work so as to warrant the same treatment with respect ~~as~~ to
2080 title, pay band, and other personnel transactions.

2081 (12) "Individual who has a disability" means a person who
2082 has a physical or intellectual impairment that substantially
2083 limits one or more major life activities; a person who has a
2084 history or record of such an impairment; or a person who is
2085 perceived by others as having such an impairment.

2086 Section 25. Subsections (1) and (2) of section 110.112,
2087 Florida Statutes, are amended, present subsections (3) through
2088 (6) of that section are redesignated as subsections (4) through
2089 (7), respectively, and a new subsection (3) is added to that
2090 section, to read:

2091 110.112 Affirmative action; equal employment opportunity.—

2092 (1) It is ~~shall be~~ the policy of this ~~the~~ state to assist
2093 in providing the assurance of equal employment opportunity
2094 through programs of affirmative and positive action that will
2095 allow full utilization of women, ~~and~~ minorities, and individuals
2096 who have a disability.

2097 (2) (a) The head of each executive agency shall develop and
2098 implement an affirmative action plan in accordance with rules
2099 adopted by the department and approved by a majority vote of the



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2100 Administration Commission before their adoption.

2101 (b) Each executive agency shall establish annual goals for
2102 ensuring full utilization of groups underrepresented in the
2103 agency's ~~its~~ workforce, including women, minorities, and
2104 individuals who have a disability, as compared to the relevant
2105 labor market, as defined by the agency. Each executive agency
2106 shall design its affirmative action plan to meet its established
2107 goals.

2108 (c) Each executive agency shall annually report to the
2109 department regarding the agency's progress toward increasing
2110 employment among women, minorities, and individuals who have a
2111 disability.

2112 (d) ~~(e)~~ An affirmative action-equal employment opportunity
2113 officer shall be appointed by the head of each executive agency.
2114 The affirmative action-equal employment opportunity officer's
2115 responsibilities must include determining annual goals,
2116 monitoring agency compliance, and providing consultation to
2117 managers regarding progress, deficiencies, and appropriate
2118 corrective action.

2119 (e) ~~(d)~~ The department shall report information in its
2120 annual workforce report relating to the implementation,
2121 continuance, updating, and results of each executive agency's
2122 affirmative action plan for the previous fiscal year. The annual
2123 workforce report must also include data for each executive
2124 agency relating to employment levels among women, minorities,
2125 and individuals who have a disability.

2126 (f) ~~(e)~~ The department shall provide to all supervisory
2127 personnel of the executive agencies training in the principles
2128 of equal employment opportunity and affirmative action, the



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2129 development and implementation of affirmative action plans, and
2130 the establishment of annual affirmative action goals. The
2131 department may contract for training services, and each
2132 participating agency shall reimburse the department for costs
2133 incurred through such contract. After the department approves
2134 the contents of the training program for the agencies, the
2135 department may delegate this training to the executive agencies.

2136 (3) (a) The department, in consultation with the Agency for
2137 Persons with Disabilities, the Division of Vocational
2138 Rehabilitation and the Division of Blind Services of the
2139 Department of Education, the Department of Economic Opportunity,
2140 and the Executive Office of the Governor, shall develop and
2141 implement programs that incorporate internships, mentoring, on-
2142 the-job training, unpaid work experience, situational
2143 assessments, and other innovative strategies that are
2144 specifically geared toward individuals who have a disability.

2145 (b) By January 1, 2016, the department shall develop
2146 mandatory training programs for human resources personnel and
2147 hiring managers of executive agencies which support the
2148 employment of individuals who have a disability.

2149 (c)1. By January 1, 2016, each executive agency shall
2150 develop an agency-specific plan that addresses how to promote
2151 employment opportunities for individuals who have a disability.

2152 2. The department shall assist executive agencies in the
2153 implementation of agency-specific plans. The department shall
2154 regularly report to the Governor, the President of the Senate,
2155 and the Speaker of the House of Representatives the progress of
2156 executive agencies in implementing these plans. Such reports
2157 shall be made at least biannually.



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2158 (d) The department shall compile data regarding the hiring
2159 practices of executive agencies with regard to individuals who
2160 have a disability and make such data available on its website.

2161 (e) The department shall assist executive agencies in
2162 identifying and implementing strategies for retaining employees
2163 who have a disability which include, but are not limited to,
2164 training programs, funding reasonable accommodations, increasing
2165 access to appropriate technologies, and ensuring accessibility
2166 of physical and virtual workplaces.

2167 (f) The department shall adopt rules relating to forms that
2168 provide for the voluntary self-identification of individuals who
2169 have a disability who are employed by an executive agency.

2170 (g) This subsection does not create any substantive or
2171 procedural right or benefit enforceable at law or in equity
2172 against the state or a state agency, or an officer, employee, or
2173 agent thereof.

2174 Section 26. Effective January 1, 2016, paragraph (e) is
2175 added to subsection (1) of section 280.16, Florida Statutes, to
2176 read:

2177 280.16 Requirements of qualified public depositories;
2178 confidentiality.—

2179 (1) In addition to any other requirements specified in this
2180 chapter, qualified public depositories shall:

2181 (e) Participate in the Financial Literacy Program for
2182 Individuals with Developmental Disabilities as required under s.
2183 17.68.

2184 Section 27. Subsection (9) of section 393.063, Florida
2185 Statutes, is amended to read:

2186 393.063 Definitions.—For the purposes of this chapter, the



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2187 term:

2188 (9) "Developmental disability" means a disorder or syndrome
2189 that is attributable to intellectual disability, cerebral palsy,
2190 autism, Down syndrome, spina bifida, or Prader-Willi syndrome;
2191 that manifests before the age of 18; and that constitutes a
2192 substantial handicap that can reasonably be expected to continue
2193 indefinitely.

2194 Section 28. Employment First Act.—

2195 (1) SHORT TITLE.—This section may be cited as the
2196 "Employment First Act."

2197 (2) LEGISLATIVE INTENT.—The Legislature finds that
2198 employment is the most direct and cost-effective means to assist
2199 an individual in achieving independence and fulfillment;
2200 however, individuals with disabilities are confronted by unique
2201 barriers to employment that inhibit their opportunities to
2202 compete fairly in the labor force. It is the intent of the
2203 Legislature to provide a framework for a long-term commitment to
2204 improving employment outcomes for individuals with disabilities
2205 in this state through the implementation of the Employment First
2206 Act.

2207 (3) PURPOSE.—The purpose of the Employment First Act is to
2208 prioritize employment of individuals with disabilities and to
2209 change the employment system to better integrate individuals
2210 with disabilities into the workforce. The Employment First Act
2211 encourages a collaborative effort between state agencies and
2212 organizations to achieve better employment outcomes for
2213 individuals with disabilities.

2214 (4) INTERAGENCY COOPERATIVE AGREEMENT.—The following state
2215 agencies and organizations shall develop an interagency



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2216 cooperative agreement to implement the Employment First Act:
2217 (a) The Division of Vocational Rehabilitation of the
2218 Department of Education.
2219 (b) The Division of Blind Services of the Department of
2220 Education.
2221 (c) The Bureau of Exceptional Education and Student
2222 Services of the Department of Education.
2223 (d) The Agency for Persons with Disabilities.
2224 (e) The Substance Abuse and Mental Health Program of the
2225 Department of Children and Families.
2226 (f) The Department of Economic Opportunity.
2227 (g) CareerSource Florida, Inc.
2228 (h) The Florida Developmental Disabilities Council.
2229 (i) Florida Association of Rehabilitation Facilities.
2230 (j) Other appropriate organizations.
2231 (5) ROLES AND RESPONSIBILITIES.—The interagency cooperative
2232 agreement shall outline the roles and responsibilities of the
2233 state agencies and organizations identified in subsection (4).
2234 The objectives of the interagency cooperative agreement must
2235 include all of the following:
2236 (a) Establishing a commitment by leadership of the state
2237 agencies and organizations to maximize the resources and
2238 coordination to improve employment outcomes for individuals with
2239 disabilities who seek publicly funded services.
2240 (b) Developing strategic goals and benchmarks to assist the
2241 state agencies and organizations in the implementation of this
2242 agreement.
2243 (c) Identifying financing and contracting methods that will
2244 help to prioritize employment for individuals with disabilities



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2245 by state agencies and organizations.

2246 (d) Establishing training methods to better integrate
2247 individuals with disabilities into the workforce.

2248 (e) Ensuring collaborative efforts between multiple
2249 agencies to achieve the purposes of this act.

2250 (f) Promoting service innovations to better assist
2251 individuals with disabilities in the workplace.

2252 (g) Identifying accountability measures to ensure the
2253 sustainability of this agreement.

2254 Section 29. Florida Unique Abilities Partner program.—

2255 (1) CREATION AND PURPOSE.—The Department of Economic
2256 Opportunity shall establish the Florida Unique Abilities Partner
2257 program to designate a business entity as a Florida Unique
2258 Abilities Partner if the business entity demonstrates
2259 commitment, through employment or support, to the independence
2260 of individuals who have a disability. The department shall
2261 consult with the Agency for Persons with Disabilities, the
2262 Division of Vocational Rehabilitation of the Department of
2263 Education, the Division of Blind Services of the Department of
2264 Education, and CareerSource Florida, Inc., in creating the
2265 program.

2266 (2) DEFINITIONS.—As used in this section, the term:

2267 (a) "Department" means the Department of Economic
2268 Opportunity.

2269 (b) "Individuals who have a disability" means persons who
2270 have a physical or intellectual impairment that substantially
2271 limits one or more major life activities; persons who have a
2272 history or record of such an impairment; or persons who are
2273 perceived by others as having such an impairment.



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2274 (3) DESIGNATION.—

2275 (a) A business entity may apply to the department to be
2276 designated as a Florida Unique Abilities Partner, based on the
2277 business entity's achievements in at least one of the following
2278 categories:

2279 1. Employment of individuals who have a disability.

2280 2. Contributions to local or national disability
2281 organizations.

2282 3. Contributions to or the establishment of a program that
2283 contributes to the independence of individuals who have a
2284 disability.

2285 (b) As an alternative to application by a business entity,
2286 the department must consider nominations from members of the
2287 community where the business entity is located. The nomination
2288 must identify the business entity's achievements in at least one
2289 of the categories provided in paragraph (a).

2290 (c) The name, location, and contact information of the
2291 business entity must be included in the business entity's
2292 application or nomination.

2293 (d) The department shall adopt procedures for the
2294 application, nomination, and designation processes for the
2295 Florida Unique Abilities Partner program. Designation as a
2296 Florida Unique Abilities Partner does not establish or involve
2297 licensure, does not affect the substantial interests of a party,
2298 and does not constitute a final agency action. The Florida
2299 Unique Abilities Partner program and designation are not subject
2300 to chapter 120, Florida Statutes.

2301 (4) ELIGIBILITY AND AWARD.—In determining the eligibility
2302 for the designation of a business entity as a Florida Unique



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2303 Abilities Partner, the department shall consider, at a minimum,
2304 the following criteria:

2305 (a) For a designation based on an application by a
2306 business:

2307 1. A business entity must certify that it employs at least
2308 one individual who has a disability. Such employees must be
2309 residents of this state and must have been employed by the
2310 business entity for at least 9 months before the business
2311 entity's application for the designation. The department may not
2312 require the employer to provide personally identifiable
2313 information about its employees;

2314 2. A business entity must certify that it has made
2315 contributions to local and national disability organizations or
2316 contributions in support of individuals who have a disability.
2317 Contributions may be accomplished through financial or in-kind
2318 contributions, including employee volunteer hours. Contributions
2319 must be documented by providing copies of written receipts or
2320 letters of acknowledgment from recipients or donees. A business
2321 entity with 100 or fewer employees must make a financial or in-
2322 kind contribution of at least \$1,000, and a business entity with
2323 more than 100 employees must make a financial or in-kind
2324 contribution of at least \$5,000; or

2325 3. A business entity must certify that it has established,
2326 or has contributed to the establishment of, a program that
2327 contributes to the independence of individuals who have a
2328 disability. Contributions must be documented by providing copies
2329 of written receipts, a summary of the program, program
2330 materials, or letters of acknowledgment from program
2331 participants or volunteers. A business entity with 100 or fewer



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2332 employees must make a financial or in-kind contribution of at
2333 least \$1,000 in the program, and a business entity with more
2334 than 100 employees must make a financial or in-kind contribution
2335 of at least \$5,000.

2336

2337 A business entity that applies to the department to be
2338 designated as a Florida Unique Abilities Partner shall be
2339 awarded the designation upon meeting the requirements of this
2340 section.

2341 (b) For a designation based upon receipt of a nomination of
2342 a business entity:

2343 1. The department shall determine whether the nominee,
2344 based on the information provided by the nominating person or
2345 entity, meets the requirements of paragraph (a). The department
2346 may request additional information from the nominee.

2347 2. If the nominee meets the requirements, the department
2348 shall provide notice, including the qualification criteria
2349 provided in the nomination, to the nominee regarding the
2350 nominee's eligibility to be awarded a designation as a Florida
2351 Unique Abilities Partner.

2352 3. The nominee shall be provided 30 days from the receipt
2353 of the notice to certify that the information in the notice is
2354 true and accurate and accept the nomination; or to decline the
2355 nomination. After 30 days, if the nomination has not been
2356 accepted, the department may not award the designation. If the
2357 nominee accepts the nomination, the department shall award the
2358 designation. If the nominee declines the nomination, the
2359 department may not award the designation.

2360 (5) ANNUAL CERTIFICATION.—After an initial designation as a



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2361 Florida Unique Abilities Partner, a business entity must certify
2362 each year that it continues to meet the criteria for the
2363 designation. If a business entity does not submit the yearly
2364 certification of continued eligibility, the department shall
2365 remove the designation. A business entity may elect to
2366 discontinue its use of the designation at any time by notifying
2367 the department of such decision.

2368 (6) LOGO DEVELOPMENT.—

2369 (a) The department, in consultation with members of the
2370 disability community, shall develop a logo that identifies a
2371 business entity that is designated as a Florida Unique Abilities
2372 Partner.

2373 (b) The department shall adopt guidelines and requirements
2374 for use of the logo, including how the logo may be used in
2375 advertising. The department may allow a business entity to
2376 display a Florida Unique Abilities Partner logo upon
2377 designation. A business entity that has not been designated as a
2378 Florida Unique Abilities Partner or has elected to discontinue
2379 its designated status may not display the logo.

2380 (7) WEBSITE.—The department shall maintain a website for
2381 the program. At a minimum, the website must provide: a list of
2382 business entities, by county, that currently have the Florida
2383 Unique Abilities Partner designation, updated quarterly;
2384 information regarding the eligibility requirements for the
2385 designation and the method of application or nomination; and
2386 best practices for business entities to facilitate the inclusion
2387 of individuals who have a disability, updated annually. The
2388 website may provide links to the websites of organizations or
2389 other resources that will aid business entities to employ or



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2390 support individuals who have a disability.

2391 (8) INTERAGENCY COLLABORATION.—

2392 (a) The Agency for Persons with Disabilities shall provide
2393 a link on its website to the department's website for the
2394 Florida Unique Abilities Partner program.

2395 (b) On a quarterly basis, the department shall provide the
2396 Florida Tourism Industry Marketing Corporation with a current
2397 list of all businesses that are designated as Florida Unique
2398 Abilities Partners. The Florida Tourism Industry Marketing
2399 Corporation must consider the Florida Unique Abilities Partner
2400 program in the development of marketing campaigns, and
2401 specifically in any targeted marketing campaign for individuals
2402 who have a disability or their families.

2403 (c) The department and CareerSource Florida, Inc., shall
2404 identify employment opportunities posted by business entities
2405 that currently have the Florida Unique Abilities Partner
2406 designation on the workforce information system under s.
2407 445.011, Florida Statutes.

2408 (9) REPORT.—

2409 (a) By January 1, 2016, the department shall provide a
2410 report to the President of the Senate and the Speaker of the
2411 House of Representatives on the status of the implementation of
2412 this section, including the adoption of rules, development of
2413 the logo, and development of application procedures.

2414 (b) Beginning in 2016 and each year thereafter, the
2415 department's annual report required under s. 20.60, Florida
2416 Statutes, must describe in detail the progress and use of the
2417 program. At a minimum, the report must include the following
2418 information for the most recent year: the number of applications



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2419 and nominations received; the number of nominations accepted and
2420 declined; designations awarded; annual certifications; use of
2421 information provided under subsection (8); and any other
2422 information deemed necessary to evaluate the program.

2423 (10) RULES.—The department shall adopt rules to administer
2424 this section.

2425 Section 30. For the 2015-2016 fiscal year, the sums of
2426 \$100,000 in recurring funds and \$100,000 in nonrecurring funds
2427 from the Special Employment Security Administration Trust Fund
2428 are appropriated to the Department of Economic Opportunity for
2429 the purpose of funding the development, implementation, and
2430 administration of the Florida Unique Abilities Partner program
2431 created by this act.

2432 Section 31. For the 2015-2016 fiscal year, the sums of
2433 \$63,664 in recurring funds and \$73,570 in nonrecurring funds
2434 from the Insurance Regulatory Trust Fund are appropriated to the
2435 Consumer Assistance Program within the Department of Financial
2436 Services, and one full-time equivalent position with associated
2437 salary rate of 41,114 is authorized for the program for the
2438 purpose of implementing the Financial Literacy Program for
2439 Individuals with Developmental Disabilities created by this act.

2440 Section 32. For the 2015-2016 fiscal year, the following
2441 sums are appropriated for the purpose of implementing the
2442 amendments made by this act to s. 110.112, Florida Statutes,
2443 relating to the employment of individuals who have a disability:

2444 (1) The sums of \$138,692 in recurring funds and \$26,264 in
2445 nonrecurring funds are appropriated from the State Personnel
2446 System Trust Fund to the Department of Management Services, and
2447 two full-time equivalent positions with associated salary rate



2448 of 92,762 are authorized.

2449 (2) The sum of \$88,285 from the General Revenue Fund and
2450 the sum of \$76,671 from trust funds within the Human Resource
2451 Services appropriation category are appropriated to Administered
2452 Funds.

2453 Section 33. Except as otherwise expressly provided in this
2454 act, this act shall take effect July 1, 2015.

2455
2456 ===== T I T L E A M E N D M E N T =====

2457 And the title is amended as follows:

2458 Delete lines 839 - 899

2459 and insert:

2460 An act relating to education; amending s. 446.021,
2461 F.S.; revising terms; amending s. 446.032, F.S.;
2462 conforming a provision to changes made by the act;
2463 requiring the Department of Education, in
2464 collaboration with the Department of Economic
2465 Opportunity, to identify, develop, and register
2466 specified apprenticeship programs; requiring the
2467 department to annually submit an accountability report
2468 with specified requirements to the Governor, the
2469 Legislature, and the Higher Education Coordinating
2470 Council; requiring the department to post on its
2471 Internet website specified information regarding
2472 apprenticeship programs; amending s. 446.045, F.S.;
2473 clarifying State Apprenticeship Advisory Council
2474 membership; amending s. 446.052, F.S.; requiring the
2475 Department of Education, in collaboration with the
2476 Department of Economic Opportunity, to identify,



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2477 develop, and register specified preapprenticeship
2478 programs; requiring the department to annually submit
2479 an accountability report with specified requirements
2480 to the Governor, the Legislature, and the Higher
2481 Education Coordinating Council; requiring the
2482 department to post on its Internet website specified
2483 information regarding preapprenticeship programs;
2484 requiring the Department of Education, in
2485 collaboration with the Department of Economic
2486 Opportunity and CareerSource Florida, Inc., to submit
2487 an operational report to the Governor, the
2488 Legislature, and the Higher Education Coordinating
2489 Council with specified information; providing for
2490 expiration; amending s. 446.081, F.S.; clarifying the
2491 limitations of certain provisions; amending s.
2492 446.091, F.S.; conforming a provision to a change made
2493 by the act; amending s. 446.092, F.S.; revising
2494 characteristics of an apprenticeable occupation;
2495 creating s. 1001.92, F.S.; requiring the Board of
2496 Governors to base state performance funds for the
2497 State University System on specified metrics adopted
2498 by the board; specifying allocation of the funds;
2499 requiring certain funds to be withheld from an
2500 institution based on specified performance; requiring
2501 the board to submit a report by a specified time to
2502 the Governor and the Legislature; requiring the board
2503 to adopt rules; amending s. 1002.385, F.S.; revising
2504 definitions applicable to the Florida Personal
2505 Learning Scholarship Accounts Program; revising



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2506 scholarship application deadlines and guidelines;
2507 revising provisions to conform to the designation of
2508 eligible nonprofit scholarship-funding organizations;
2509 requiring authorized program funds to support the
2510 student's educational needs; requiring the Florida
2511 Prepaid College Board to create certain procedures;
2512 authorizing part-time private tutoring services by
2513 persons meeting certain requirements; authorizing
2514 program funds to be spent for specified education
2515 programs and services; revising the conditions under
2516 which a student's personal learning scholarship
2517 account must be closed; revising the responsibilities
2518 for school districts; revising requirements for a
2519 private school's eligibility to participate in the
2520 program; revising responsibilities of the Department
2521 of Education and the Commissioner of Education with
2522 respect to program administration; revising
2523 responsibilities for parents and students to
2524 participate in the program; requiring a parent to
2525 affirm that program funds are used only for authorized
2526 purposes that serve the student's educational needs;
2527 revising responsibilities of an organization
2528 pertaining to the administration of personal learning
2529 scholarship accounts; revising the wait list and
2530 priority of approving renewal and new applications;
2531 revising the notice requirement of an organization;
2532 authorizing accrued interest to be used for authorized
2533 expenditures; requiring accrued interest to be
2534 reverted as a part of reverted scholarship funds;



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2535 revising taxable income requirements; removing
2536 obsolete audit requirements; requiring the Auditor
2537 General to provide a copy of each annual operational
2538 audit performed to the Commissioner of Education
2539 within a specified timeframe; requiring the department
2540 to provide an annual report to the Governor and the
2541 Legislature regarding the program; prescribing report
2542 requirements; providing for future repeal of
2543 provisions pertaining to an implementation schedule of
2544 notification and eligibility timelines; amending s.
2545 1002.395, F.S.; revising the use of eligible
2546 contributions by eligible nonprofit scholarship-
2547 funding organizations; revising the surety bond
2548 requirements for nonprofit scholarship-funding
2549 organizations submitting initial and renewal
2550 scholarship program participation applications;
2551 amending s. 1009.971, F.S.; revising the powers and
2552 duties of the Florida Prepaid College Board to include
2553 specified rulemaking authority; amending ss. 1009.98
2554 and 1009.981, F.S.; authorizing a prepaid college plan
2555 or a college savings plan to be purchased, accounted
2556 for, used, and terminated under certain circumstances;
2557 specifying rulemaking requirements applicable to the
2558 department; creating s. 1004.084, F.S.; requiring the
2559 Board of Governors of the State University System and
2560 the State Board of Education to submit annual reports
2561 to the Governor and Legislature relating to college
2562 affordability; amending s. 1004.085, F.S.; revising
2563 provisions relating to textbook affordability to



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2564 include instructional materials; defining the term
2565 "instructional materials"; requiring Florida College
2566 System institution and state university boards of
2567 trustees to identify wide variances in the costs of,
2568 and in the frequency of changes in the selection of,
2569 textbooks and instructional materials for certain
2570 courses; requiring the boards of trustees to send
2571 identified courses to the academic department chairs
2572 for review; providing for legislative review and
2573 repeal of specified provisions; requiring
2574 postsecondary institutions to consult with certain
2575 school districts to identify certain practices;
2576 requiring cost-benefit analyses relating to textbooks
2577 and instructional materials; providing reporting
2578 requirements; amending s. 1006.735, F.S.; establishing
2579 the Rapid Response Education and Training Program
2580 within the Complete Florida Plus Program; requiring
2581 the Complete Florida Plus Program to work with
2582 Enterprise Florida, Inc., to offer certain education
2583 and training commitments to businesses; specifying the
2584 duties of the program; requiring reports to the
2585 Legislature; requiring the Division of Career and
2586 Adult Education within the Department of Education to
2587 conduct an analysis and assessment of the
2588 effectiveness of the education and training programs;
2589 amending s. 1009.22, F.S.; revising the amount by
2590 which tuition may vary for the combined total of the
2591 standard tuition and out-of-state fees; amending s.
2592 1009.23, F.S.; prohibiting resident tuition at a



2593 Florida College System institution from exceeding a
2594 specified amount per credit hour; revising the amount
2595 by which tuition may vary for the combined total of
2596 the standard tuition and out-of-state fees; requiring
2597 a Florida College System institution to publicly
2598 notice meetings at which votes on proposed tuition or
2599 fee increases are scheduled; amending s. 1009.24,
2600 F.S.; prohibiting resident undergraduate tuition at a
2601 state university from exceeding a specified amount per
2602 credit hour; removing authority for a designee of the
2603 Board of Governors to establish graduate and
2604 professional tuition and out-of-state fees;
2605 prohibiting graduate and professional program tuition
2606 from exceeding a specified amount; requiring a state
2607 university to publicly notice meetings at which votes
2608 on proposed tuition or fee increases are scheduled;
2609 creating s. 1004.6501, F.S.; providing a short title;
2610 providing purposes and legislative intent; defining
2611 terms; establishing eligibility requirements for
2612 enrollment in the Florida Postsecondary Comprehensive
2613 Transition Program; requiring eligible institutions to
2614 make student eligibility determinations; establishing
2615 the Florida Center for Students with Unique Abilities;
2616 specifying the duties of the center and the center
2617 director; specifying application requirements for
2618 initial approval and renewal of approval; requiring an
2619 eligible institution with an approved program to
2620 submit an annual report to the center by a specified
2621 date; establishing a Florida Postsecondary



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2622 Comprehensive Transition Program Scholarship for
2623 certain qualified students; specifying the
2624 requirements for a student to maintain eligibility for
2625 the scholarship; providing for the distribution of
2626 scholarship funds; requiring an eligible institution
2627 to report certain data and information to the center;
2628 requiring an eligible institution to certify and
2629 report the amount of funds disbursed and undisbursed
2630 advances to the center by a specified date; requiring
2631 the center, with the Board of Governors and the State
2632 Board of Education, to identify program progress and
2633 performance indicators; requiring an annual report to
2634 the Governor, the President of the Senate, the Speaker
2635 of the House of Representatives, the Chancellor of the
2636 State University System, and the Commissioner of
2637 Education by a specified date; requiring the center,
2638 with other stakeholders, to submit to the Governor,
2639 the President of the Senate, and the Speaker of the
2640 House of Representatives statutory or budget
2641 recommendations for the program; requiring the Board
2642 of Governors and the State Board of Education, in
2643 consultation with the center, to adopt regulations and
2644 rules; creating s. 17.68, F.S.; providing legislative
2645 findings; establishing the Financial Literacy Program
2646 for Individuals with Developmental Disabilities within
2647 the Department of Financial Services; requiring the
2648 department to develop and implement the program in
2649 consultation with specified stakeholders; providing
2650 for the participation of banks, credit unions, savings



2651 associations, and savings banks; requiring the program
2652 to provide information and other offerings on
2653 specified issues to individuals with developmental
2654 disabilities and employers in this state; requiring
2655 the department to establish on its website a
2656 clearinghouse for information regarding the program
2657 and to publish a brochure describing the program;
2658 requiring, by a specified date, qualified public
2659 depositories to make copies of the department's
2660 brochure available and provide a hyperlink on their
2661 websites to the department's website for the program;
2662 reordering and amending s. 110.107, F.S.; revising
2663 definitions and defining the term "individual who has
2664 a disability"; amending s. 110.112, F.S.; revising the
2665 state's equal employment opportunity policy to include
2666 individuals who have a disability; requiring each
2667 executive agency to annually report to the Department
2668 of Management Services regarding the agency's progress
2669 in increasing employment among certain
2670 underrepresented groups; revising the required content
2671 of the department's annual workforce report; requiring
2672 the department to develop and implement certain
2673 programs geared toward individuals who have a
2674 disability; requiring the department to develop
2675 training programs by a specified date; requiring each
2676 executive agency to develop a plan regarding the
2677 employment of individuals who have a disability by a
2678 specified date; requiring the department to report to
2679 the Governor and the Legislature regarding



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2680 implementation; requiring the department to compile
2681 and post data regarding the hiring practices of
2682 executive agencies regarding the employment of
2683 individuals who have a disability; requiring the
2684 department to assist executive agencies in identifying
2685 strategies to retain employees who have a disability;
2686 requiring the department to adopt certain rules;
2687 specifying that the act does not create any
2688 enforceable right or benefit; amending s. 280.16,
2689 F.S.; requiring a qualified public depository to
2690 participate in the Financial Literacy Program for
2691 Individuals with Developmental Disabilities; amending
2692 s. 393.063, F.S.; revising the definition of the term
2693 "developmental disability" to include Down syndrome;
2694 creating the "Employment First Act"; providing
2695 legislative intent; providing a purpose; requiring
2696 specified state agencies and organizations to develop
2697 and implement an interagency cooperative agreement;
2698 requiring the interagency cooperative agreement to
2699 provide the roles, responsibilities, and objectives of
2700 state agencies and organizations; requiring the
2701 Department of Economic Opportunity, in consultation
2702 with other organizations, to create the Florida Unique
2703 Abilities Partner program; defining terms; authorizing
2704 a business entity to apply to the department for
2705 designation; requiring the department to consider
2706 nominations of business entities for designation;
2707 requiring the department to adopt procedures for
2708 application and designation processes; establishing



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2709 criteria for a business entity to be designated as a
2710 Florida Unique Abilities Partner; requiring a business
2711 entity to certify that it continues to meet the
2712 established criteria for designation each year;
2713 requiring the department to remove the designation if
2714 a business entity does not submit yearly certification
2715 of continued eligibility; authorizing a business
2716 entity to discontinue its use of the designation;
2717 requiring the department, in consultation with the
2718 disability community, to develop a logo for business
2719 entities designated as Florida Unique Abilities
2720 Program Partners; requiring the department to adopt
2721 guidelines and requirements for use of the logo;
2722 authorizing the department to allow a designated
2723 business entity to display a logo; prohibiting the use
2724 of a logo if a business entity does not have a current
2725 designation; requiring the department to maintain a
2726 website with specified information; requiring the
2727 Agency for Persons with Disabilities to provide a link
2728 on its website to the department's website for the
2729 Florida Unique Abilities Partner program; requiring
2730 the department to provide the Florida Tourism Industry
2731 Marketing Corporation with certain information;
2732 requiring the department and CareerSource Florida,
2733 Inc., to identify employment opportunities posted by
2734 employers that receive the Florida Unique Abilities
2735 Partner designation on the workforce information
2736 system; providing report requirements; requiring the
2737 department to adopt rules; providing appropriations;



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providing effective dates.