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1 A bill to be entitled
2 An act relating to educational options; creating s.
3 1004.6495, F.S.; providing a short title; providing
4 purposes and legislative intent; defining terms;
5 establishing student eligibility requirements for
6 enrollment in the Florida Postsecondary Comprehensive
7 Transition Program; requiring eligible institutions to
8 make student eligibility determinations; establishing
9 the Florida Center for Students with Unique Abilities;
10 specifying the responsibilities of the center and the
11 center director; specifying amounts of funds to be
12 used for start-up and enhancement grants; specifying
13 application requirements for initial approval and
14 renewal of approval; requiring an eligible institution
15 with an approved program to submit an annual report to
16 the center by a specified date; establishing a Florida
17 Postsecondary Comprehensive Transition Program
18 Scholarship for certain qualified students; specifying
19 requirements for a student to maintain scholarship
20 eligibility; providing for the distribution of
21 scholarship funds; requiring an eligible institution
22 to report certain data and information to the center;
23 requiring an eligible institution to certify and
24 report the amount of funds disbursed and undisbursed
25 advances to the center by a specified date; specifying
26 the amount of the scholarship for eligible students;
27 authorizing awards to be prorated under certain
28 circumstances; requiring the center, with the Board of
29 Governors and the State Board of Education, to

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30 identify program progress and performance indicators;
31 requiring an annual report to the Legislature, the
32 Chancellor of the State University System, and the
33 Commissioner of Education by a specified date;
34 requiring the center, in collaboration with the Board
35 of Governors, State Board of Education, Higher
36 Education Coordinating Council, and other
37 stakeholders, to submit to the Governor and
38 Legislature statutory and budgetary recommendations
39 for the program; requiring the Board of Governors and
40 the State Board of Education, in consultation with the
41 center, to adopt regulations and rules; creating s.
42 1011.78, F.S.; authorizing certain school districts
43 and charter schools to be eligible to receive
44 incentive payments for implementing a standard student
45 attire policy that meets certain criteria; providing a
46 short title and purpose; establishing the
47 qualifications for such a payment; providing for
48 funding, subject to availability in the General
49 Appropriations Act; requiring the district school
50 superintendent or charter school governing board to
51 certify certain information to the commissioner by a
52 specified date; providing for reversion of the funds
53 under certain circumstances; providing immunity from
54 civil liability to a school district board or charter
55 school governing board that establishes a standard
56 student attire policy; amending ss. 1001.43 and
57 1002.33, F.S.; authorizing a district school board or
58 charter school that implements a standard student

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59 attire policy to be eligible to receive incentive
60 payments; amending s. 1002.385, F.S.; changing the
61 name of the "Florida Personal Learning Scholarship
62 Account Program" to the "Gardiner Scholarship
63 Program"; revising terms for purposes of the Gardiner
64 Scholarship Program; revising program eligibility
65 criteria and program prohibitions for such
66 scholarships; authorizing a parent to submit a
67 specified document to receive scholarship funds before
68 confirmed eligibility; requiring that authorized
69 program funds be used to support the student's
70 educational needs; authorizing program funds to be
71 spent for specified fees and services; revising the
72 terms of the program; providing for the reversion of
73 certain funds to the state; revising the obligations
74 of school districts, parents, and the Department of
75 Education with respect to the program; revising the
76 authority of the Commissioner of Education to deny,
77 suspend, or revoke certain program participation and
78 use of program funds; specifying maximum periods for
79 certain suspensions and revocations; authorizing the
80 commissioner to recover program funds through certain
81 means; revising information that must be provided for
82 the program by scholarship-funding organizations and
83 parents of applicants; specifying priority for
84 participation in the program; revising funding and
85 payment provisions for the program; requiring the
86 Auditor General to provide the commissioner with
87 program annual operational audits by a specified time;

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88 amending s. 1002.395, F.S.; prohibiting a scholarship-
89 funding organization from charging an application fee;
90 deleting a requirement that certain fees be returned
91 to the General Revenue Fund; providing for the
92 transfer of contributions in excess of the amount that
93 may be carried forward; revising the surety bond or
94 letter of credit requirements for nonprofit
95 scholarship-funding organizations submitting initial
96 or renewal scholarship program participation
97 applications; providing for the deposit of certain
98 transferred funds by certain scholarship-funding
99 organizations; requiring that certain deposited funds
100 be separately disclosed; amending s. 1009.971, F.S.;
101 revising the duties of the Florida Prepaid College
102 Board; amending ss. 1009.98 and 1009.981, F.S.;
103 providing implementation procedures for the Stanley G.
104 Tate Florida Prepaid College Program and the Florida
105 College Savings Program relating to plans purchased
106 through the Gardiner Scholarship Programs; providing
107 appropriations; providing an effective date.

108
109 Be It Enacted by the Legislature of the State of Florida:

110
111 Section 1. Section 1004.6495, Florida Statutes, is created
112 to read:

113 1004.6495 Florida Postsecondary Comprehensive Transition
114 Program and Florida Center for Students with Unique Abilities.-

115 (1) SHORT TITLE.-This section may be cited as the "Florida
116 Postsecondary Comprehensive Transition Program Act."

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117 (2) PURPOSE AND LEGISLATIVE INTENT.—The purpose of this
118 section is to increase independent living, inclusive and
119 experiential postsecondary education, and employment
120 opportunities for students with intellectual disabilities
121 through degree, certificate, or nondegree programs and to
122 establish statewide coordination of the dissemination of
123 information regarding programs and services for students with
124 disabilities. It is the intent of the Legislature that students
125 with intellectual disabilities and students with disabilities
126 have access to meaningful postsecondary education credentials
127 and be afforded the opportunity to have a meaningful campus
128 experience.

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

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

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

133 (c) "Eligible institution" means a state university; a
134 Florida College System institution; a career center; a charter
135 technical career center; or an independent college or university
136 that is located and chartered in this state, is not for profit,
137 is accredited by the Commission on Colleges of the Southern
138 Association of Colleges and Schools, and is eligible to
139 participate in the William L. Boyd, IV, Florida Resident Access
140 Grant Program.

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

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146 (e) "FPCTP" means a Florida Postsecondary Comprehensive
147 Transition Program that is approved pursuant to paragraph (5)(c)
148 and offered by an eligible institution.

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

152 (4) STUDENT ELIGIBILITY.—To be eligible to enroll in an
153 FPCTP at an eligible institution, a student must, as determined
154 by the institution, based on guidelines established by the
155 center:

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

159 (b) Physically attend the eligible institution.

160 (c) Submit to the eligible institution documentation
161 regarding his or her intellectual disability. Such documentation
162 may include, but need not be limited to, a current
163 individualized plan for employment associated with a review
164 completed pursuant to s. 413.20(3) or a diagnosis from a
165 physician who is licensed under chapter 458 or chapter 459 or a
166 psychologist licensed under chapter 490.

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

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

172 1. Education programs, services, and resources that are
173 available at eligible institutions.

174 2. Supports, accommodations, technical assistance, or

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175 training provided by eligible institutions, the advisory council
176 established pursuant to s. 383.141, and regional autism centers
177 established pursuant to s. 1004.55.

178 3. Mentoring, networking, and employment opportunities.

179 (b) Coordinate, facilitate, and oversee the statewide
180 implementation of this section. At a minimum, the director
181 shall:

182 1. Consult and collaborate with the National Center and the
183 Coordinating Center, as identified in 20 U.S.C. s. 1140g,
184 regarding guidelines established by the center for the effective
185 implementation of the programs for students with disabilities
186 and for students with intellectual disabilities which align with
187 the federal requirements and with standards, quality indicators,
188 and benchmarks identified by the National Center and the
189 Coordinating Center.

190 2. Consult and collaborate with the Higher Education
191 Coordinating Council to identify meaningful credentials for
192 FPCTPs and to engage businesses and stakeholders to promote
193 experiential training and employment opportunities for students
194 with intellectual disabilities.

195 3. Establish requirements and timelines for the:

196 a. Submission and review of an application.

197 b. Approval or disapproval of an initial or renewal
198 application.

199 c. Implementation of an FPCTP, which must begin no later
200 than the academic year immediately following the academic year
201 during which the approval is granted.

202 4. Administer scholarship funds.

203 5. Administer FPCTP start-up and enhancement grants. From

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204 funds appropriated in the 2016-2017 fiscal year for the FPCTP,
205 \$3 million shall be used for such grants. Thereafter, funds
206 appropriated for the FPCTP may only be used for such grants if
207 specifically authorized in the General Appropriations Act. The
208 maximum annual start-up and enhancement grant award shall be
209 \$300,000 per institution.

210 6. Report on the implementation and administration of this
211 section by planning, advising, and evaluating approved degree,
212 certificate, and nondegree programs and the performance of
213 students and programs pursuant to subsection (8).

214 (c) Create the application for the initial approval and
215 renewal of approval as an FPCTP for use by an eligible
216 institution which, at a minimum, must align with the federal
217 comprehensive transition and postsecondary program application
218 requirements. Notwithstanding the program approval requirements
219 of s. 1004.03, the director shall review applications for the
220 initial approval of an application for, or renewal of approval
221 of, an FPCTP.

222 1. Within 30 days after receipt of an application, the
223 director shall issue his or her recommendation regarding
224 approval to the Chancellor of the State University System or the
225 Commissioner of Education, as applicable, or shall give written
226 notice to the applicant of any deficiencies in the application,
227 which the eligible institution must be given an opportunity to
228 correct. Within 15 days after receipt of a notice of
229 deficiencies, an eligible institution that chooses to continue
230 to seek program approval shall correct the application
231 deficiencies and return the application to the center. Within 30
232 days after receipt of a revised application, the director shall

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233 recommend approval or disapproval of the revised application to
234 the chancellor or the commissioner, as applicable. Within 15
235 days after receipt of the director's recommendation, the
236 chancellor or the commissioner shall approve or disapprove the
237 recommendation. If the chancellor or the commissioner does not
238 act on the director's recommendation within 15 days after
239 receipt of such recommendation, the comprehensive transition
240 program proposed by the institution shall be considered
241 approved.

242 2. Initial approval of an application for an FPCTP that
243 meets the requirements of this section is valid for the 3
244 academic years immediately following the academic year during
245 which the approval is granted. An eligible institution may
246 submit an application to the center requesting that the initial
247 approval be renewed. If the approval is granted and the FPCTP
248 continues to meet the requirements of this section, including,
249 but not limited to, program and student performance outcomes,
250 and federal requirements, a renewal is valid for the 5 academic
251 years immediately following the academic year during which the
252 renewal is granted.

253 3. An application must, at a minimum:

254 a. Identify a credential associated with the proposed
255 program which will be awarded to eligible students upon
256 completion of the FPCTP.

257 b. Outline the program length and design, including, at a
258 minimum, inclusive and successful experiential education
259 practices relating to curricular, assessment, and advising
260 structure and internship and employment opportunities, which
261 must support students with intellectual disabilities who are

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262 seeking to continue academic, career and technical, and
263 independent living instruction at an eligible institution,
264 including, but not limited to, opportunities to earn industry
265 certifications, to prepare students for gainful employment. If
266 an eligible institution offers a credit-bearing degree program,
267 the institution is responsible for maintaining the rigor and
268 effectiveness of a comprehensive transition degree program at
269 the same level as other comparable degree programs offered by
270 the institution pursuant to applicable accreditation standards.

271 c. Outline a plan for students with intellectual
272 disabilities to be integrated socially and academically with
273 nondisabled students, to the maximum extent possible, and to
274 participate on not less than a half-time basis, as determined by
275 the eligible institution, with such participation focusing on
276 academic components and occurring through one or more of the
277 following activities with nondisabled students:

278 (I) Regular enrollment in credit-bearing courses offered by
279 the institution.

280 (II) Auditing or participating in courses offered by the
281 institution for which the student does not receive academic
282 credit.

283 (III) Enrollment in noncredit-bearing, nondegree courses.

284 (IV) Participation in internships or work-based training.

285 d. Outline a plan for partnerships with businesses to
286 promote experiential training and employment opportunities for
287 students with intellectual disabilities.

288 e. Identify performance indicators pursuant to subsection
289 (8) and other requirements identified by the center.

290 f. Outline a 5-year plan incorporating enrollment and

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291 operational expectations for the program.

292 (d) Provide technical assistance regarding programs and
293 services for students with intellectual disabilities to
294 administrators, instructors, staff, and others, as applicable,
295 at eligible institutions by:

296 1. Holding meetings and annual workshops to share
297 successful practices and to address issues or concerns.

298 2. Facilitating collaboration between eligible institutions
299 and school districts, private schools operating pursuant to s.
300 1002.42, and parents of students enrolled in home education
301 programs operating pursuant to s. 1002.41 in assisting students
302 with intellectual disabilities and their parents to plan for the
303 transition of such students into an FPCTP or another program at
304 an eligible institution.

305 3. Assisting eligible institutions with FPCTP and federal
306 comprehensive transition and postsecondary program applications.

307 4. Assisting eligible institutions with the identification
308 of funding sources for an FPCTP and for student financial
309 assistance for students enrolled in an FPCTP.

310 5. Monitoring federal and state law relating to the
311 comprehensive transition program and notifying the Legislature,
312 the Governor, the Board of Governors, and the State Board of
313 Education of any change in law which may impact the
314 implementation of this section.

315 (6) INSTITUTION ELIGIBILITY AND RESPONSIBILITIES.—

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

319 1. An application for approval of a comprehensive

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320 transition program proposed by the eligible institution, which
321 must be approved by the institution's governing board and must
322 address the requirements of the federal comprehensive transition
323 and postsecondary program under 20 U.S.C. s. 1140 and the
324 requirements of this section.

325 2. Documented evidence that the institution currently
326 offers a federally approved comprehensive transition and
327 postsecondary program that is eligible for federal student aid
328 programs, documented evidence of the submission of an
329 application for such federal approval of a program proposed by
330 the institution, or documentation demonstrating the commitment
331 of the institution's governing board to submit an application
332 within the subsequent academic year for federal approval of a
333 program pursuant to 20 U.S.C. s. 1140.

334 (b) An eligible institution may submit an application to
335 the center for approval pursuant to the requirements of this
336 section for implementation of the FPCTP no later than the
337 academic year immediately following the academic year during
338 which the approval is granted. An eligible institution must
339 submit a renewal application to the center no later than 3 years
340 following the year during which the approval is initially
341 granted.

342 (c) By August 1 of each year, an eligible institution that
343 has an FPCTP shall submit an annual report to the center which,
344 at a minimum, for the prior academic year, addresses the
345 following performance indicators:

346 1. Efforts to recruit students in the FPCTP and the number
347 of students enrolled in the program.

348 2. Efforts to retain students in the FPCTP and the

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349 retention rate of students in the program.

350 3. The completion rate of students enrolled in the FPCTP
351 and related courses, as applicable.

352 4. Transition success of students who complete the FPCTP,
353 as measured by employment rates and salary levels at 1 year and
354 5 years after completion.

355 5. Other performance indicators identified by the center
356 pursuant to subsection (8).

357 (d) An eligible institution shall notify students with
358 intellectual disabilities and their parents of the student
359 eligibility requirements specified in subsection (4) and the
360 scholarship requirements and eligibility requirements specified
361 in subsection (7).

362 (7) FLORIDA POSTSECONDARY COMPREHENSIVE TRANSITION PROGRAM
363 SCHOLARSHIP.—

364 (a) Beginning in the 2016-2017 academic year, the Florida
365 Postsecondary Comprehensive Transition Program Scholarship is
366 established for students who meet the student eligibility
367 requirements specified in subsection (4), are enrolled in an
368 FPCTP, and are not receiving services that are funded through
369 the Florida Education Finance Program or a scholarship under
370 part III of chapter 1002.

371 (b) To maintain eligibility to receive a scholarship, a
372 student must continue to meet the requirements of paragraph (a)
373 and must demonstrate satisfactory academic progress in the
374 FPCTP, as determined by the eligible institution that the
375 student attends, based on the indicators identified by the
376 center pursuant to subsection (8).

377 (c) Payment of scholarship funds shall be transmitted to

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378 the director of the center or his or her designee in advance of
379 the registration period. The director or his or her designee
380 shall disburse the scholarship funds to the eligible
381 institutions that are responsible for awarding the scholarship
382 to students who meet the requirements of paragraphs (a) and (b).

383 (d) During each academic term, by a date established by the
384 center, an eligible institution shall report to the center the
385 number and value of all scholarships awarded under this
386 subsection. Each eligible institution shall also report to the
387 center necessary demographic and eligibility data and other data
388 requested by the center for students who received the
389 scholarship awards.

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

394 (f) For the 2016-2017 academic year, the amount of the
395 annual scholarship shall be \$7,000 for each student who meets
396 the eligibility requirements of subsection (4). Beginning in the
397 2017-2018 fiscal year, the funding for the program and the
398 annual amount of the scholarship to be provided to a student who
399 meets the eligibility requirements of subsection (4) shall be
400 the amounts specified in the General Appropriations Act. If
401 appropriated funds in any fiscal year are not adequate to
402 provide the maximum allowable award to each eligible student,
403 the awards may be prorated.

404 (8) ACCOUNTABILITY.—

405 (a) The center, in collaboration with the Board of
406 Governors and the State Board of Education, shall identify

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407 indicators for the satisfactory progress of a student in an
408 FPCTP and for the performance of such programs. Each eligible
409 institution must address the indicators identified by the center
410 in its application for the approval of a proposed program and
411 for the renewal of an FPCTP and in the annual report that the
412 institution submits to the center.

413 (b) By October 1 of each year, the center shall provide to
414 the Governor, the President of the Senate, the Speaker of the
415 House of Representatives, the Chancellor of the State University
416 System, and the Commissioner of Education a report summarizing
417 information including, but not limited to:

418 1. The status of the statewide coordination of FPCTPs and
419 the implementation of FPCTPs at eligible institutions including,
420 but not limited to:

421 a. The number of applications approved and disapproved and
422 the reasons for each disapproval and no action taken by the
423 chancellor or the commissioner.

424 b. The number and value of all scholarships awarded to
425 students and undisbursed advances remitted to the center
426 pursuant to subsection (7).

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

430 3. The projected number of students with intellectual
431 disabilities who may be eligible to enroll in the FPCTPs within
432 the next academic year.

433 4. Education programs and services for students with
434 intellectual disabilities which are available at eligible
435 institutions.

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436 (c) Beginning in the 2016-2017 fiscal year, the center, in
437 collaboration with the Board of Governors, State Board of
438 Education, Higher Education Coordinating Council, and other
439 stakeholders, by December 1 of each year, shall submit to the
440 Governor, the President of the Senate, and the Speaker of the
441 House of Representatives statutory and budget recommendations
442 for improving the implementation and delivery of FPCTPs and
443 other education programs and services for students with
444 disabilities.

445 (9) RULES.—The Board of Governors and the State Board of
446 Education, in consultation with the center, shall expeditiously
447 adopt any necessary regulations and rules, as applicable, to
448 allow the center to perform its responsibilities pursuant to
449 this section beginning in the 2016-2017 fiscal year.

450 Section 2. Section 1011.78, Florida Statutes, is created to
451 read:

452 1011.78 Standard student attire incentive payments.—There
453 is created an incentive payment for school districts and charter
454 schools that implement a standard student attire policy for all
455 students in kindergarten through grade 8 in accordance with this
456 section.

457 (1) SHORT TITLE.—This section may be cited as the “Students
458 Attired for Education (SAFE) Act.”

459 (2) PURPOSE.—The purpose of a standard student attire
460 policy is to provide a safe environment for students which
461 fosters learning and improves school safety and discipline by:

462 (a) Encouraging students to express their individuality
463 through personality and academic achievements, rather than
464 outward appearance.

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465 (b) Enabling students to focus on academics, rather than
466 fashion, because they are able to convey a neat, serious, and
467 studious image.

468 (c) Minimizing disciplinary problems because students are
469 not distracted by clothing.

470 (d) Reducing the time needed to correct dress code
471 violations through a readily available inventory of compliant
472 attire.

473 (e) Minimizing visible differences between students and
474 eliminating social pressures to wear brand-name clothing or
475 colors to show gang affiliation, thereby easing financial
476 pressures on parents and enhancing school safety.

477 (f) Creating a sense of school pride and belonging.

478 (3) QUALIFICATIONS.—To qualify for the incentive payment, a
479 school district or charter school must, at a minimum, implement
480 a standard attire policy that:

481 (a) Applies to all students in kindergarten through grade 8
482 in the school district or charter school, regardless of
483 individual school grade configurations.

484 (b) Prohibits certain types or styles of clothing and
485 requires solid-colored clothing and fabrics for pants, skirts,
486 shorts, or similar clothing and short- or long-sleeved shirts
487 with collars.

488 (c) Allows reasonable accommodations based on a student's
489 religion, disability, or medical condition.

490 (4) AWARD.—Subject to the appropriation of funds by the
491 Legislature, a qualified school district or charter school shall
492 receive an annual award of not less than \$10 per student in
493 kindergarten through grade 8, as specified in the General

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494 Appropriations Act. Before the release of funds, but no later
495 than September 1 of each year, the district school
496 superintendent or the charter school governing board shall
497 certify to the commissioner that the school district or charter
498 school has implemented a districtwide or schoolwide standard
499 student attire policy, respectively, in accordance with this
500 section. A charter school may also qualify by participating in
501 its sponsor's qualifying policy. The commissioner shall make
502 payment of awards to school districts and charter schools in the
503 order in which certifications are received. As of June 30 of
504 each year, any funds provided pursuant to this section that have
505 not been disbursed to qualified school districts and charter
506 schools revert to the fund from which they were appropriated
507 pursuant to s. 216.301.

508 (5) IMMUNITY.—A district school board or governing board of
509 a charter school that implements a districtwide or schoolwide
510 standard student attire policy, respectively, is immune from
511 civil liability resulting from adoption of the policy in
512 accordance with this section.

513 Section 3. Paragraph (b) of subsection (1) of section
514 1001.43, Florida Statutes, is amended to read:

515 1001.43 Supplemental powers and duties of district school
516 board.—The district school board may exercise the following
517 supplemental powers and duties as authorized by this code or
518 State Board of Education rule.

519 (1) STUDENT MANAGEMENT.—The district school board may adopt
520 programs and policies to ensure the safety and welfare of
521 individuals, the student body, and school personnel, which
522 programs and policies may:

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523 (b) Require uniforms to be worn by the student body, or
524 impose other dress-related requirements, if the district school
525 board finds that those requirements are necessary for the safety
526 or welfare of the student body or school personnel. However,
527 students may wear sunglasses, hats, or other sun-protective wear
528 while outdoors during school hours, such as when students are at
529 recess. A district school board that implements a districtwide
530 standard student attire policy pursuant to s. 1011.78 is
531 eligible to receive incentive payments.

532 Section 4. Paragraph (g) is added to subsection (17) of
533 section 1002.33, Florida Statutes, to read:

534 1002.33 Charter schools.—

535 (17) FUNDING.—Students enrolled in a charter school,
536 regardless of the sponsorship, shall be funded as if they are in
537 a basic program or a special program, the same as students
538 enrolled in other public schools in the school district. Funding
539 for a charter lab school shall be as provided in s. 1002.32.

540 (g) A charter school that implements a schoolwide standard
541 student attire policy pursuant to s. 1011.78 is eligible to
542 receive incentive payments.

543 Section 5. Section 1002.385, Florida Statutes, is amended
544 to read:

545 1002.385 The Gardiner Scholarship ~~Florida personal learning~~
546 ~~scholarship accounts.~~—

547 (1) ESTABLISHMENT OF PROGRAM.—The Gardiner Scholarship
548 ~~Florida Personal Learning Scholarship Accounts~~ Program is
549 established to provide the option for a parent to better meet
550 the individual educational needs of his or her eligible child.
551 All written explanatory materials, state websites, scholarship

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552 organization materials, letters to parents, scholarship
 553 agreements, and any other information describing this program to
 554 the public shall refer to a scholarship under the program as the
 555 "Gardiner Scholarship."

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

557 (a) "Approved provider" means a provider approved by the
 558 Agency for Persons with Disabilities, a health care practitioner
 559 as defined in s. 456.001(4), or a provider approved by the
 560 department pursuant to s. 1002.66.

561 (b) "Curriculum" means a complete course of study for a
 562 particular content area or grade level, including any required
 563 supplemental materials and associated online instruction.

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

565 (d) "Disability" means, for a 3- or 4-year-old child or for
 566 a student in kindergarten to grade 12, autism spectrum disorder,
 567 as defined in the Diagnostic and Statistical Manual of Mental
 568 Disorders, Fifth Edition, published by the American Psychiatric
 569 Association ~~s. 393.063(3)~~; cerebral palsy, as defined in s.
 570 393.063(4); Down syndrome, as defined in s. 393.063(13); an
 571 intellectual disability, as defined in s. 393.063(21); Prader-
 572 Willi syndrome, as defined in s. 393.063(25); ~~or~~ spina bifida,
 573 as defined in s. 393.063(36); ~~for a student in kindergarten,~~
 574 being a high-risk child, as defined in s. 393.063(20) (a);
 575 muscular dystrophy; and Williams syndrome.

576 (e) "Eligible nonprofit scholarship-funding organization"
 577 or "organization" means a nonprofit scholarship-funding
 578 organization that is approved pursuant to s. 1002.395(16) ~~has~~
 579 ~~the same meaning as in s. 1002.395.~~

580 (f) "Eligible postsecondary educational institution" means

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581 a Florida College System institution;; a state university;; a
582 school district technical center;; a school district adult
583 general education center; an independent college or university
584 that is eligible to participate in the William L. Boyd, IV,
585 Florida Resident Access Grant Program under s. 1009.89; or an
586 accredited independent nonpublic postsecondary educational
587 institution, as defined in s. 1005.02, which is licensed to
588 operate in the state pursuant to requirements specified in part
589 III of chapter 1005.

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

- 594 1. Sections 1002.42 and 1002.421; and
595 2. A scholarship program under s. 1002.39 or s. 1002.395,
596 as applicable, if the private school participates in a
597 scholarship program under s. 1002.39 or s. 1002.395.

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

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

601 (j) "Program" means the Gardiner Scholarship ~~Florida~~
602 ~~Personal Learning Scholarship Accounts~~ Program established in
603 this section.

604 (3) PROGRAM ELIGIBILITY.—A parent of a student with a
605 disability may request and receive from the state a Gardiner
606 Scholarship ~~Florida personal learning scholarship account~~ for
607 the purposes specified in subsection (5) if:

608 (a) The student:

- 609 1. Is a resident of this state;

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610 2. Is 3 or 4 years of age on or before September 1 of the
611 year in which the student applies for program participation or
612 is eligible to enroll in kindergarten through grade 12 in a
613 public school in this state;

614 3. Has a disability as defined in paragraph (2) (d); and

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

620 (b) ~~Beginning January 2015,~~ The parent has applied to an
621 eligible nonprofit scholarship-funding organization to
622 participate in the program by February 1 before the school year
623 in which the student will participate or an alternative date as
624 set by the organization for any vacant, funded slots. The
625 request must be communicated directly to the organization in a
626 manner that creates a written or electronic record of the
627 request and the date of receipt of the request. In addition to
628 the application and any documentation required by the
629 organization or by State Board of Education rule, the parent may
630 submit a final verification document pursuant to this paragraph
631 to receive scholarship funds in the student's account before the
632 department confirms program eligibility pursuant to paragraph
633 (9) (e). The final verification document must consist of one of
634 the following items applicable to the student:

635 1. A completed withdrawal form from the school district, if
636 the student was enrolled in a public school before the
637 determination of program eligibility.

638 2. A letter of admission or enrollment from an eligible

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639 private school for the fiscal year in which the student wishes
640 to participate and, if applicable, a copy of the notification
641 from the private school that the student has withdrawn from the
642 John M. McKay Scholarships for Students with Disabilities
643 Program or the Florida Tax Credit Scholarship Program.

644 3. A copy of the notice of the parent's intent to establish
645 and maintain a home education program required by s.
646 1002.41(1)(a) or the annual educational evaluation of the
647 student in a home education program, which is required by s.
648 1002.41(2) ~~The organization shall notify the district and the~~
649 ~~department of the parent's intent upon receipt of the parent's~~
650 ~~request.~~

651 (4) PROGRAM PROHIBITIONS.—

652 ~~(a)~~ A student is not eligible for the program if while he
653 or she is:

654 (a)1. Enrolled in a public school, including, but not
655 limited to, the Florida School for the Deaf and the Blind; the
656 Florida Virtual School; the College-Preparatory Boarding
657 Academy; a developmental research school authorized under s.
658 1002.32; a charter school authorized under s. 1002.33, s.
659 1002.331, or s. 1002.332; or a virtual education program
660 authorized under s. 1002.45. For purposes of this paragraph, a
661 3- or 4-year-old child who receives services funded through the
662 Florida Education Finance Program is considered to be a student
663 enrolled in a public school. Funding provided under this section
664 for a child eligible for enrollment in the Voluntary
665 Prekindergarten Education Program shall constitute funding for
666 the child under part V of this chapter, and no additional
667 funding shall be provided for the child under part V.

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668 (b)2. Enrolled in a school operating for the purpose of
669 providing educational services to youth in the Department of
670 Juvenile Justice commitment programs.~~7~~

671 (c)3. Receiving a scholarship pursuant to the Florida Tax
672 Credit Scholarship Program under s. 1002.395 or the John M.
673 McKay Scholarships for Students with Disabilities Program under
674 s. 1002.39.~~7~~ ~~or~~

675 (d)4. Receiving any other educational scholarship pursuant
676 to this chapter.

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

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

681 ~~2. The student's participation in the program has been~~
682 ~~denied or revoked by the commissioner of Education pursuant to~~
683 ~~subsection (10); or~~

684 ~~3. The student's parent has forfeited participation in the~~
685 ~~program for failure to comply with requirements pursuant to~~
686 ~~subsection (11).~~

687 (5) AUTHORIZED USES OF PROGRAM FUNDS.—Program funds must be
688 used to meet the individual educational needs of an eligible
689 student and may be spent for the following purposes:

690 (a) Instructional materials, including digital devices,
691 digital periphery devices, and assistive technology devices that
692 allow a student to access instruction or instructional content
693 and training on the use of and maintenance agreements for these
694 devices.

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

696 (c) Specialized services by approved providers that are

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697 selected by the parent. These specialized services may include,
698 but are not limited to:

699 1. Applied behavior analysis services as provided in ss.
700 627.6686 and 641.31098.

701 2. Services provided by speech-language pathologists as
702 defined in s. 468.1125.

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

704 4. Services provided by physical therapists as defined in
705 s. 486.021.

706 5. Services provided by listening and spoken language
707 specialists and an appropriate acoustical environment for a
708 child who is deaf or hard of hearing and who has received an
709 implant or assistive hearing device.

710 (d) Enrollment in, or tuition or fees associated with
711 enrollment in, a home education program, an eligible private
712 school, an eligible postsecondary educational institution or a
713 program offered by the institution, a private tutoring program
714 authorized under s. 1002.43, a virtual program offered by a
715 department-approved private online provider that meets the
716 provider qualifications specified in s. 1002.45(2)(a), the
717 Florida Virtual School as a private paying student, or an
718 approved online course offered pursuant to s. 1003.499 or s.
719 1004.0961.

720 (e) Fees for nationally standardized, norm-referenced
721 achievement tests, Advanced Placement Examinations, industry
722 certification examinations, assessments related to postsecondary
723 education, or other assessments.

724 (f) Contributions to the Stanley G. Tate Florida Prepaid
725 College Program pursuant to s. 1009.98 or the Florida College

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726 Savings Program pursuant to s. 1009.981, for the benefit of the
727 eligible student.

728 (g) Contracted services provided by a public school or
729 school district, including classes. A student who receives
730 services under a contract under this paragraph is not considered
731 enrolled in a public school for eligibility purposes as
732 specified in subsection (4).

733 (h) Tuition and fees for part-time tutoring services
734 provided by a person who holds a valid Florida educator's
735 certificate pursuant to s. 1012.56; a person who holds an
736 adjunct teaching certificate pursuant to s. 1012.57; or a person
737 who has demonstrated a mastery of subject area knowledge
738 pursuant to s. 1012.56(5). As used in this paragraph, the term
739 "part-time tutoring services" does not qualify as regular school
740 attendance as defined in s. 1003.01(13)(e).

741 (i) Fees for specialized summer education programs.

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

743 (k) Transition services provided by job coaches.

744 (l) Fees for an annual evaluation of educational progress
745 by a state-certified teacher under s. 1002.41(1)(c), if this
746 option is chosen for a home education student.

747 (m) Tuition and fees associated with programs offered by
748 Voluntary Prekindergarten Education Program providers approved
749 pursuant to s. 1002.55 and school readiness providers approved
750 pursuant to s. 1002.88.

751
752 ~~A provider of any services specialized service provider,~~
753 ~~eligible private school, eligible postsecondary educational~~
754 ~~institution, private tutoring program provider, online or~~

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755 ~~virtual program provider, public school, school district, or~~
 756 ~~other entity~~ receiving payments pursuant to this subsection may
 757 not share, refund, or rebate any moneys from the Gardiner
 758 Scholarship Florida personal learning scholarship account with
 759 the parent or participating student in any manner.

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

762 (a)1. The Program payments made by the state to an
 763 organization for a Gardiner Scholarship under this section shall
 764 continue remain in force until:

765 a. The parent does not renew program eligibility;

766 b. The organization determines that the student is not
 767 eligible for program renewal;

768 c. The Commissioner of Education suspends or revokes
 769 program participation or use of funds;

770 d. The student's parent has forfeited participation in the
 771 program for failure to comply with subsection (11);

772 e. The student enrolls in a public school; or

773 f. The student graduates from high school or attains 22
 774 years of age, whichever occurs first ~~a student participating in~~
 775 ~~the program participates in any of the prohibited activities~~
 776 ~~specified in subsection (4), has funds revoked by the~~
 777 ~~Commissioner of Education pursuant to subsection (10), returns~~
 778 ~~to a public school, graduates from high school, or attains 22~~
 779 ~~years of age, whichever occurs first. A participating student~~
 780 ~~who enrolls in a public school or public school program is~~
 781 ~~considered to have returned to a public school for the purpose~~
 782 ~~of determining the end of the program's term.~~

783 2. Reimbursements for program expenditures may continue

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784 until the account balance is expended or the account is closed
785 pursuant to paragraph (b).

786 (b)1. A student's scholarship account must be closed and
787 any remaining funds, including, but not limited to,
788 contributions made to the Stanley G. Tate Florida Prepaid
789 College Program or earnings from or contributions made to the
790 Florida College Savings Program using program funds pursuant to
791 paragraph (5) (f), shall revert to the state upon:

792 a. Denial or revocation of program eligibility by the
793 commissioner for fraud or abuse, including, but not limited to,
794 the student or student's parent accepting any payment, refund,
795 or rebate, in any manner, from a provider of any services
796 received pursuant to subsection (5); or

797 b. After any period of 3 consecutive years after high
798 school completion or graduation during which the student has not
799 been enrolled in an eligible postsecondary educational
800 institution or a program offered by the institution.

801 2. The commissioner must notify the parent and the
802 organization when a Gardiner Scholarship account is closed and
803 program funds revert to the state.

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

805 (a)1. The parent of ~~For~~ a student with a disability who
806 does not have an IEP in accordance with subparagraph (3) (a)4. or
807 who seeks a reevaluation of an existing IEP may request an IEP
808 meeting and evaluation from the school district in order to
809 obtain or revise a matrix of services. The school district shall
810 notify a parent who has made a request for an IEP that the
811 district is required to complete the IEP and matrix of services
812 within 30 days after receiving notice of the parent's request.

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813 The school district shall conduct a meeting and develop an IEP
814 and a matrix of services within 30 days after receipt of the
815 parent's request in accordance with State Board of Education
816 rules. ~~a matrix of services under s. 1011.62(1)(e) and for whom~~
817 ~~the parent requests a matrix of services,~~ The school district
818 must complete a matrix that assigns the student to one of the
819 levels of service as they existed before the 2000-2001 school
820 year.

821 ~~2.a. Within 10 school days after a school district receives~~
822 ~~notification of a parent's request for completion of a matrix of~~
823 ~~services, the school district must notify the student's parent~~
824 ~~if the matrix of services has not been completed and inform the~~
825 ~~parent that the district is required to complete the matrix~~
826 ~~within 30 days after receiving notice of the parent's request~~
827 ~~for the matrix of services. This notice must include the~~
828 ~~required completion date for the matrix.~~

829 ~~b. The school district shall complete the matrix of~~
830 ~~services for a student whose parent has made a request. The~~
831 school district must provide the student's parent and the
832 department with the student's matrix level within 10 calendar
833 ~~school~~ days after its completion.

834 ~~b.e.~~ The department shall notify the parent and the
835 ~~eligible nonprofit scholarship funding~~ organization of the
836 amount of the funds awarded within 10 days after receiving the
837 school district's notification of the student's matrix level.

838 ~~c.d.~~ A school district may change a matrix of services only
839 if the change is a result of an IEP reevaluation or to correct a
840 technical, typographical, or calculation error.

841 (b) For each student participating in the program who

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842 chooses to participate in statewide, standardized assessments
843 under s. 1008.22 or the Florida Alternate Assessment, the school
844 district in which the student resides must notify the student
845 and his or her parent about the locations and times to take all
846 statewide, standardized assessments.

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

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

852 (a) Comply with all requirements for private schools
853 participating in state school choice scholarship programs
854 pursuant to s. 1002.421.

855 (b) Provide to the ~~eligible nonprofit scholarship funding~~
856 organization, upon request, all documentation required for the
857 student's participation, including the private school's and
858 student's fee schedules.

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

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

863 2. Annually administering or making provision for students
864 participating in the program in grades 3 through 10 to take one
865 of the nationally norm-referenced tests identified by the
866 Department of Education or the statewide assessments pursuant to
867 s. 1008.22. Students with disabilities for whom standardized
868 testing is not appropriate are exempt from this requirement. A
869 participating private school shall report a student's scores to
870 the parent.

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871 3. Cooperating with the scholarship student whose parent
872 chooses to have the student participate in the statewide
873 assessments pursuant to s. 1008.22 or, if a private school
874 chooses to offer the statewide assessments, administering the
875 assessments at the school.

876 a. A participating private school may choose to offer and
877 administer the statewide assessments to all students who attend
878 the private school in grades 3 through 10.

879 b. A participating private school shall submit a request in
880 writing to the Department of Education by March 1 of each year
881 in order to administer the statewide assessments in the
882 subsequent school year.

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

886 (e) Annually contract with an independent certified public
887 accountant to perform the agreed-upon procedures developed under
888 s. 1002.395(6)(o) ~~s. 1002.395(6)(n)~~ and produce a report of the
889 results if the private school receives more than \$250,000 in
890 funds from scholarships awarded under this section in the 2014-
891 2015 state fiscal year or a state fiscal year thereafter. A
892 private school subject to this paragraph must submit the report
893 by September 15, 2015, and annually thereafter to the
894 ~~scholarship-funding~~ organization that awarded the majority of
895 the school's scholarship funds. The agreed-upon procedures must
896 be conducted in accordance with attestation standards
897 established by the American Institute of Certified Public
898 Accountants.

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900 The inability of a private school to meet the requirements of
901 this subsection constitutes a basis for the ineligibility of the
902 private school to participate in the program as determined by
903 the commissioner ~~department~~.

904 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department
905 shall:

906 (a) Maintain on its website a list of approved providers as
907 required in s. 1002.66, eligible postsecondary educational
908 institutions, eligible private schools, and organizations and
909 may identify or provide links to lists of other approved
910 providers.

911 (b) Require each ~~eligible nonprofit scholarship-funding~~
912 organization to verify eligible expenditures before the
913 distribution of funds for any expenditures made pursuant to
914 paragraphs (5) (a) and (b). Review of expenditures made for
915 services specified in paragraphs (5) (c) - (m) ~~(5) (e) - (g)~~ may be
916 completed after the purchase is ~~payment has been~~ made.

917 (c) Investigate any written complaint of a violation of
918 this section by a parent, a student, a private school, a public
919 school or a school district, an organization, a provider, or
920 another appropriate party in accordance with the process
921 established by s. 1002.395(9) (f).

922 (d) Require quarterly reports by an ~~eligible nonprofit~~
923 ~~scholarship-funding~~ organization, which must, at a minimum,
924 include regarding the number of students participating in the
925 program; the demographics of program participants; the
926 disability category of program participants; the matrix level of
927 services, if known; the program award amount per student; the
928 total expenditures for the purposes specified in subsection

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929 ~~(5);~~ the types of providers of services to students; ~~and any~~
 930 other information deemed necessary by the department.

931 (e) Compare the list of students participating in the
 932 program with the public school student enrollment lists,
 933 Voluntary Prekindergarten Education Program enrollment lists,
 934 and the list of students participating in school choice
 935 scholarship programs established pursuant to this chapter before
 936 each scholarship award is provided to the organization, and
 937 subsequently throughout the school year, each program payment to
 938 avoid duplicate payments and confirm program eligibility. A
 939 parent who files a final verification pursuant to paragraph
 940 (3) (b) shall receive scholarship funds before the department
 941 confirms program eligibility.

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

943 (a) The Commissioner of Education:

944 1. ~~Shall deny, suspend, or revoke a student's participation~~
 945 ~~in the program if the health, safety, or welfare of the student~~
 946 ~~is threatened or fraud is suspected.~~

947 2. ~~Shall deny, suspend, or revoke an authorized use of~~
 948 ~~program funds if the health, safety, or welfare of the student~~
 949 ~~is threatened or fraud is suspected.~~

950 3. ~~May deny, suspend, or revoke an authorized use of~~
 951 ~~program funds for material failure to comply with this section~~
 952 ~~and applicable department rules if the noncompliance is~~
 953 ~~correctable within a reasonable period of time. Otherwise, the~~
 954 ~~commissioner shall deny, suspend, or revoke an authorized use~~
 955 ~~for failure to materially comply with the law and rules adopted~~
 956 ~~under this section.~~

957 4. ~~Shall require compliance by the appropriate party by a~~

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958 ~~date certain for all nonmaterial failures to comply with this~~
 959 ~~section and applicable department rules. The commissioner May~~
 960 ~~deny,~~ suspend, or revoke program participation or use of program
 961 funds by the student or participation or eligibility of an
 962 organization, eligible private school, eligible postsecondary
 963 educational institution, approved provider, or other party for a
 964 violation of this section.

965 2. May determine the length of, and conditions for lifting,
 966 a suspension or revocation specified in this subsection.

967 3. May recover unexpended program funds or withhold payment
 968 of an equal amount of program funds to recover program funds
 969 that were not authorized for use.

970 4. Shall deny or terminate program participation upon a
 971 parent's forfeiture of a Gardiner Scholarship pursuant to
 972 subsection (11) under this section thereafter.

973 (b) In determining whether to ~~deny,~~ suspend, or revoke
 974 participation or lift a suspension or revocation in accordance
 975 with this subsection, the commissioner may consider factors that
 976 include, but are not limited to, acts or omissions that by a
 977 participating entity which led to a previous suspension denial
 978 or revocation of participation in a state or federal program or
 979 an education scholarship program; failure to reimburse the
 980 eligible nonprofit scholarship funding organization for program
 981 funds improperly received or retained by the entity; failure to
 982 reimburse government funds improperly received or retained;
 983 imposition of a prior criminal sanction related to the person or
 984 entity or its officers or employees; imposition of a civil fine
 985 or administrative fine, license revocation or suspension, or
 986 program eligibility suspension, termination, or revocation

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987 related to a person's or ~~an~~ entity's management or operation; or
988 other types of criminal proceedings in which the person or
989 entity or its officers or employees were found guilty of,
990 regardless of adjudication, or entered a plea of nolo contendere
991 or guilty to, any offense involving fraud, deceit, dishonesty,
992 or moral turpitude.

993 (11) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
994 PARTICIPATION.—A parent who applies for program participation
995 under this section is exercising his or her parental option to
996 determine the appropriate placement or the services that best
997 meet the needs of his or her child. The scholarship award for a
998 student is based on a matrix that assigns the student to support
999 Level III services. If a parent receives ~~chooses to request and~~
1000 ~~receive~~ an IEP and a matrix of services from the school district
1001 pursuant to subsection (7), the amount of the payment shall be
1002 adjusted as needed, when the school district completes the
1003 matrix.

1004 (a) To satisfy or maintain program eligibility, including
1005 eligibility to receive and spend program payments ~~enroll an~~
1006 ~~eligible student in the program~~, the parent must sign an
1007 agreement with the ~~eligible nonprofit scholarship funding~~
1008 organization and annually submit a notarized, sworn compliance
1009 statement to the organization to:

1010 1. Affirm that the student is enrolled in a program that
1011 meets regular school attendance requirements as provided in s.
1012 1003.01(13)(b)-(d).

1013 2. Affirm that ~~Use~~ the program funds are used only for
1014 authorized purposes serving the student's educational needs, as
1015 described in subsection (5).

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1016 3. Affirm that the parent is responsible for the education
1017 of his or her student by, as applicable: ~~takes all appropriate~~
1018 ~~standardized assessments as specified in this section.~~

1019 a. Requiring the student to ~~If the parent enrolls the child~~
1020 ~~in an eligible private school, the student must take an~~
1021 assessment in accordance with paragraph (8) (c); ~~selected by the~~
1022 ~~private school pursuant to s. 1002.395(7) (c).~~

1023 b. Providing an ~~If the parent enrolls the child in a home~~
1024 ~~education program, the parent may choose to participate in an~~
1025 ~~assessment as part of the annual evaluation~~ in accordance with
1026 ~~provided for in s. 1002.41(1) (c); or-~~

1027 c. Requiring the child to take any pre- and post-
1028 assessments selected by the provider if the child is 4 years of
1029 age and is enrolled in a program provided by an eligible
1030 Voluntary Prekindergarten Education Program provider. A student
1031 with disabilities for whom a pre- and post-assessment is not
1032 appropriate is exempt from this requirement. A participating
1033 provider shall report a student's scores to the parent.

1034 4. ~~Notify the school district that the student is~~
1035 ~~participating in the Personal Learning Scholarship Accounts if~~
1036 ~~the parent chooses to enroll in a home education program as~~
1037 ~~provided in s. 1002.41.~~

1038 5. ~~Request participation in the program by the date~~
1039 ~~established by the eligible nonprofit scholarship funding~~
1040 ~~organization.~~

1041 ~~4.6.~~ Affirm that the student remains in good standing with
1042 the provider or school if those options are selected by the
1043 parent.

1044 7. ~~Apply for admission of his or her child if the private~~

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1045 ~~school option is selected by the parent.~~

1046 ~~8. Annually renew participation in the program.~~

1047 ~~Notwithstanding any changes to the student's IEP, a student who~~
1048 ~~was previously eligible for participation in the program shall~~
1049 ~~remain eligible to apply for renewal as provided in subsection~~
1050 ~~(6).~~

1051 ~~9. Affirm that the parent will not transfer any college~~
1052 ~~savings funds to another beneficiary.~~

1053 ~~10. Affirm that the parent will not take possession of any~~
1054 ~~funding provided by the state for the Florida Personal Learning~~
1055 ~~Scholarship Accounts.~~

1056 ~~11. Maintain a portfolio of records and materials which~~
1057 ~~must be preserved by the parent for 2 years and be made~~
1058 ~~available for inspection by the district school superintendent~~
1059 ~~or the superintendent's designee upon 15 days' written notice.~~
1060 ~~This paragraph does not require the superintendent to inspect~~
1061 ~~the portfolio. The portfolio of records and materials must~~
1062 ~~consist of:~~

1063 ~~a. A log of educational instruction and services which is~~
1064 ~~made contemporaneously with delivery of the instruction and~~
1065 ~~services and which designates by title any reading materials~~
1066 ~~used; and~~

1067 ~~b. Samples of any writings, worksheets, workbooks, or~~
1068 ~~creative materials used or developed by the student.~~

1069 (b) The parent must file an application for initial program
1070 participation with an organization by the dates established
1071 pursuant to this section.

1072 (c) The parent must notify the school district that the
1073 student is participating in the Gardiner Scholarship Program if

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1074 the parent chooses to enroll the student in a home education
1075 program as provided in s. 1002.41. This notification is not in
1076 lieu of the required notification a parent must submit to the
1077 district when establishing a home education program pursuant to
1078 s. 1002.41(1)(a).

1079 (d) The parent must enroll his or her child in a program
1080 from a Voluntary Prekindergarten Education Program provider
1081 authorized under s. 1002.55, a school readiness provider
1082 authorized under s. 1002.88, or an eligible private school if
1083 either option is selected by the parent.

1084 (e) The parent must annually renew participation in the
1085 program. Notwithstanding any changes to the student's IEP, a
1086 student who was previously eligible for participation in the
1087 program shall remain eligible to apply for renewal. However, for
1088 a high-risk child to continue to participate in the program in
1089 the school year after he or she reaches 6 years of age, the
1090 child's application for renewal of program participation must
1091 contain documentation that the child has a disability defined in
1092 paragraph (2)(d) other than high-risk status.

1093 (f) ~~(b)~~ The parent is responsible for procuring the services
1094 necessary to educate the student. When the student receives a
1095 Gardiner Scholarship ~~personal learning scholarship account,~~ the
1096 district school board is not obligated to provide the student
1097 with a free appropriate public education. For purposes of s.
1098 1003.57 and the Individuals with Disabilities in Education Act,
1099 a participating student has only those rights that apply to all
1100 other unilaterally parentally placed students, except that, when
1101 requested by the parent, school district personnel must develop
1102 an individual education plan or matrix level of services.

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1103 (g)~~(e)~~ The parent is responsible for the payment of all
 1104 eligible expenses in excess of the amount of the Gardiner
 1105 Scholarship personal learning scholarship account in accordance
 1106 with the terms agreed to between the parent and the providers.

1107 (h) The parent may not transfer any prepaid college plan or
 1108 college savings plan funds contributed pursuant to paragraph
 1109 (5) (f) to another beneficiary while the plan contains funds
 1110 contributed pursuant to this section.

1111 (i) The parent may not receive a payment, refund, or rebate
 1112 from an approved provider of any services under this program.

1113
 1114 A parent who fails to comply with this subsection forfeits the
 1115 Gardiner Scholarship personal learning scholarship account.

1116 (12) OBLIGATIONS OF SCHOLARSHIP-FUNDING ORGANIZATIONS
 1117 ADMINISTRATION OF PERSONAL LEARNING SCHOLARSHIP ACCOUNTS.—An
 1118 eligible nonprofit scholarship-funding organization
 1119 participating in the Florida Tax Credit Scholarship Program
 1120 established under s. 1002.395 may establish Gardiner
 1121 Scholarships personal learning scholarship accounts for eligible
 1122 students by:

1123 (a) Receiving applications and determining student
 1124 eligibility in accordance with the requirements of this section.
 1125 ~~The organization shall notify the department of the applicants~~
 1126 ~~for the program by March 1 before the school year in which the~~
 1127 ~~student intends to participate.~~ When an application is approved
 1128 received, the ~~scholarship-funding~~ organization must provide the
 1129 department with information on the student to enable the
 1130 department to determine ~~report~~ the student ~~for~~ funding in
 1131 accordance with subsection (13).

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1132 (b) Notifying parents of their receipt of a scholarship on
1133 a first-come, first-served basis, based upon the funds provided
1134 ~~for this program in the General Appropriations Act.~~

1135 (c) Establishing a date pursuant to paragraph (3)(b) by
1136 which a parent must confirm initial or continuing participation
1137 in the program ~~and confirm the establishment or continuance of a~~
1138 ~~personal learning scholarship account.~~

1139 (d) Reviewing applications and awarding scholarship funds
1140 to approved applicants using the following priorities:

- 1141 1. Renewing students from the previous school year;
- 1142 2. Students retained on the previous school year's wait
1143 list;
- 1144 3. Newly approved applicants; and
- 1145 4. Late-filed applicants.

1146
1147 An approved student who does not receive a scholarship must be
1148 placed on the wait list in the order in which his or her
1149 application is approved. The ~~Establishing a date and process by~~
1150 ~~which~~ students on the wait list or subsequent late-filing
1151 applicants may be allowed to participate in the program during
1152 the fiscal ~~school~~ year, within the amount of funds provided ~~for~~
1153 ~~this program in the General Appropriations Act. A student who~~
1154 ~~does not receive a scholarship within the fiscal year shall be~~
1155 ~~retained on the wait list for the subsequent year.~~

1156 (e) Establishing and maintaining separate accounts for each
1157 eligible student. For each account, the organization must
1158 maintain a record of accrued interest that is retained in the
1159 student's account and available only for authorized program
1160 expenditures.

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1161 (f) Verifying qualifying educational expenditures pursuant
1162 to the requirements of paragraph (9) (b) ~~(8) (b)~~.

1163 (g) Returning any remaining program ~~unused~~ funds to the
1164 department pursuant to paragraph (6) (b) ~~when the student is no~~
1165 ~~longer eligible for a personal scholarship learning account.~~

1166 (h) Notifying the parent about the availability of, and the
1167 requirements associated with, requesting an initial IEP or IEP
1168 reevaluation every 3 years for each student participating in the
1169 program.

1170 (i) Notifying the department of any violation of this
1171 section.

1172 (j) Documenting each scholarship student's eligibility for
1173 a fiscal year before granting a scholarship for that fiscal year
1174 pursuant to paragraph (3) (b).

1175 (13) FUNDING AND PAYMENT.—

1176 (a)1. The maximum funding amount granted for an eligible
1177 student with a disability, pursuant to subsection (3), shall be
1178 equivalent to the base student allocation in the Florida
1179 Education Finance Program multiplied by the appropriate cost
1180 factor for the educational program which would have been
1181 provided for the student in the district school to which he or
1182 she would have been assigned, multiplied by the district cost
1183 differential.

1184 2. In addition, an amount equivalent to a share of the
1185 guaranteed allocation for exceptional students in the Florida
1186 Education Finance Program shall be determined and added to the
1187 amount in subparagraph 1. The calculation shall be based on the
1188 methodology and the data used to calculate the guaranteed
1189 allocation for exceptional students for each district in chapter

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1190 2000-166, Laws of Florida. Except as provided in subparagraph
1191 3., the calculation shall be based on the student's grade, the
1192 matrix level of services, and the difference between the 2000-
1193 2001 basic program and the appropriate level of services cost
1194 factor, multiplied by the 2000-2001 base student allocation and
1195 the 2000-2001 district cost differential for the sending
1196 district. The calculated amount must also include an amount
1197 equivalent to the per-student share of supplemental academic
1198 instruction funds, instructional materials funds, technology
1199 funds, and other categorical funds as provided in the General
1200 Appropriations Act.

1201 3. Except as otherwise provided in subsection (7), the
1202 calculation for all students participating in the program shall
1203 be based on the matrix that assigns the student to support Level
1204 III of services. If a parent chooses to request and receive a
1205 matrix of services from the school district, when the school
1206 district completes the matrix, the amount of the payment shall
1207 be adjusted as needed.

1208 (b) The amount of the awarded funds shall be 90 percent of
1209 the calculated amount. One hundred percent of the funds
1210 appropriated for the program shall be released to the department
1211 at the beginning of the first quarter of each fiscal year.

1212 (c) Upon notification from the organization that a parent
1213 has filed a final verification document pursuant to paragraph
1214 (3) (b) or upon notification from the organization that a 3- or
1215 4-year-old child's application has been approved for the
1216 program, the department shall release the student's scholarship
1217 funds to the organization to be deposited into the student's
1218 account ~~an eligible student's graduation from an eligible~~

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1219 ~~postsecondary educational institution or after any period of 4~~
1220 ~~consecutive years after high school graduation in which the~~
1221 ~~student is not enrolled in an eligible postsecondary educational~~
1222 ~~institution, the student's personal learning scholarship account~~
1223 ~~shall be closed, and any remaining funds shall revert to the~~
1224 ~~state.~~

1225 (d) For initial eligibility for the program, students
1226 determined eligible by the organization for a Gardiner
1227 Scholarship by:

1228 1. September 1 shall receive 100 percent of the total
1229 awarded funds.

1230 2. November 1 shall receive 75 percent of the total awarded
1231 funds.

1232 3. February 1 shall receive 50 percent of the total awarded
1233 funds.

1234 4. April 1 shall receive 25 percent of the total awarded
1235 funds.

1236 (e) Accrued interest in the student's account is in
1237 addition to, and not part of, the awarded funds. Program funds
1238 include both the awarded funds and accrued interest.

1239 (f)~~(d)~~ The eligible nonprofit scholarship funding
1240 organization may shall develop a system for payment of benefits
1241 by ~~electronic~~ funds transfer, including, but not limited to,
1242 debit cards, electronic payment cards, or any other means of
1243 ~~electronic~~ payment that the department deems to be commercially
1244 viable or cost-effective. A student's scholarship award may not
1245 be reduced for debit card or electronic payment fees.

1246 Commodities or services related to the development of such a
1247 system shall be procured by competitive solicitation unless they

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1248 are purchased from a state term contract pursuant to s. 287.056.

1249 (g) In addition to funds appropriated for scholarship
1250 awards and subject to a separate, specific legislative
1251 appropriation, an organization may receive an amount equivalent
1252 to not more than 3 percent of the amount of each scholarship
1253 award from state funds for administrative expenses if the
1254 organization has operated as a nonprofit entity for at least the
1255 preceding 3 fiscal years and did not have any findings of
1256 material weakness or material noncompliance in its most recent
1257 audit under s. 1002.395(6) (m). Such administrative expenses must
1258 be reasonable and necessary for the organization's management
1259 and distribution of scholarships under this section. Funds
1260 authorized under this paragraph may not be used for lobbying or
1261 political activity or expenses related to lobbying or political
1262 activity. An organization may not charge an application fee for
1263 a scholarship. Administrative expenses may not be deducted from
1264 funds appropriated for scholarship awards.

1265 (h) ~~(e)~~ Moneys received pursuant to this section do not
1266 constitute taxable income to the qualified student or parent of
1267 the qualified student.

1268 (14) OBLIGATIONS OF THE AUDITOR GENERAL.—

1269 (a) The Auditor General shall conduct an annual ~~financial~~
1270 ~~and~~ operational audit of accounts and records of each ~~eligible~~
1271 ~~scholarship-funding~~ organization that participates in the
1272 program. As part of this audit, the Auditor General shall
1273 verify, at a minimum, the total amount of students served and
1274 the eligibility of reimbursements made by the ~~each-eligible~~
1275 ~~nonprofit scholarship-funding~~ organization and transmit that
1276 information to the department. The Auditor General shall provide

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1277 the commissioner with a copy of each annual operational audit
1278 performed pursuant to this subsection within 10 days after the
1279 audit is finalized.

1280 (b) The Auditor General shall notify the department of any
1281 ~~eligible nonprofit scholarship funding~~ organization that fails
1282 to comply with a request for information.

1283 (15) OBLIGATIONS RELATED TO APPROVED PROVIDERS.—The
1284 Department of Health, the Agency for Persons with Disabilities,
1285 and the Department of Education shall work with an ~~eligible~~
1286 ~~nonprofit scholarship funding~~ organization for easy or automated
1287 access to lists of licensed providers of services specified in
1288 paragraph (5) (c) to ensure efficient administration of the
1289 program.

1290 (16) LIABILITY.—The state is not liable for the award or
1291 any use of awarded funds under this section.

1292 (17) SCOPE OF AUTHORITY.—This section does not expand the
1293 regulatory authority of this state, its officers, or any school
1294 district to impose additional regulation on participating
1295 private schools, independent nonpublic postsecondary educational
1296 institutions, and private providers beyond those reasonably
1297 necessary to enforce requirements expressly set forth in this
1298 section.

1299 (18) RULES.—The State Board of Education shall adopt rules
1300 pursuant to ss. 120.536(1) and 120.54 to administer this
1301 section.

1302 ~~(19) IMPLEMENTATION SCHEDULE FOR THE 2014-2015 SCHOOL~~
1303 ~~YEAR. Notwithstanding the provisions of this section related to~~
1304 ~~notification and eligibility timelines, an eligible nonprofit~~
1305 ~~scholarship funding organization may enroll parents on a rolling~~

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1306 ~~schedule on a first come, first served basis, within the amount~~
1307 ~~of funds provided in the General Appropriations Act.~~

1308 Section 6. Paragraph (j) of subsection (6) and paragraphs
1309 (a), (b), and (f) of subsection (16) of section 1002.395,
1310 Florida Statutes, are amended to read:

1311 1002.395 Florida Tax Credit Scholarship Program.—

1312 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
1313 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
1314 organization:

1315 (j)1. May use up to 3 percent of eligible contributions
1316 received during the state fiscal year in which such
1317 contributions are collected for administrative expenses if the
1318 organization has operated as an eligible nonprofit scholarship-
1319 funding organization ~~under this section~~ for at least the
1320 preceding 3 state fiscal years and did not have any ~~negative~~
1321 ~~financial~~ findings of material weakness or material
1322 noncompliance in its most recent audit under paragraph (m). Such
1323 administrative expenses must be reasonable and necessary for the
1324 organization's management and distribution of eligible
1325 contributions under this section. No funds authorized under this
1326 subparagraph shall be used for lobbying or political activity or
1327 expenses related to lobbying or political activity. Up to one-
1328 third of the funds authorized for administrative expenses under
1329 this subparagraph may be used for expenses related to the
1330 recruitment of contributions from taxpayers. ~~If~~ An eligible
1331 nonprofit scholarship-funding organization may not charge
1332 ~~charges~~ an application fee ~~for a scholarship, the application~~
1333 ~~fee must be immediately refunded to the person that paid the fee~~
1334 ~~if the student is not enrolled in a participating school within~~

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1335 ~~12 months.~~

1336 2. Must expend for annual or partial-year scholarships an
1337 amount equal to or greater than 75 percent of the net eligible
1338 contributions remaining after administrative expenses during the
1339 state fiscal year in which such contributions are collected. No
1340 more than 25 percent of such net eligible contributions may be
1341 carried forward to the following state fiscal year. All amounts
1342 carried forward, for audit purposes, must be specifically
1343 identified for particular students, by student name and the name
1344 of the school to which the student is admitted, subject to the
1345 requirements of ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g,
1346 and the applicable rules and regulations issued pursuant
1347 thereto. Any amounts carried forward shall be expended for
1348 annual or partial-year scholarships in the following state
1349 fiscal year. Net eligible contributions remaining on June 30 of
1350 each year that are in excess of the 25 percent that may be
1351 carried forward shall be transferred to other eligible nonprofit
1352 scholarship-funding organizations to provide scholarships for
1353 eligible students. All transferred funds must be deposited by
1354 each eligible nonprofit scholarship-funding organization
1355 receiving such funds into its scholarship account. All
1356 transferred amounts received by any eligible nonprofit
1357 scholarship-funding organization must be separately disclosed in
1358 the annual financial audit required under paragraph (m) ~~returned~~
1359 to the State Treasury for deposit in the General Revenue Fund.

1360 3. Must, before granting a scholarship for an academic
1361 year, document each scholarship student's eligibility for that
1362 academic year. A scholarship-funding organization may not grant
1363 multiyear scholarships in one approval process.

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1364
1365 Information and documentation provided to the Department of
1366 Education and the Auditor General relating to the identity of a
1367 taxpayer that provides an eligible contribution under this
1368 section shall remain confidential at all times in accordance
1369 with s. 213.053.

1370 (16) NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS;
1371 APPLICATION.—In order to participate in the scholarship program
1372 created under this section, a charitable organization that seeks
1373 to be a nonprofit scholarship-funding organization must submit
1374 an application for initial approval or renewal to the Office of
1375 Independent Education and Parental Choice no later than
1376 September 1 of each year before the school year for which the
1377 organization intends to offer scholarships.

1378 (a) An application for initial approval must include:

1379 1. A copy of the organization's incorporation documents and
1380 registration with the Division of Corporations of the Department
1381 of State.

1382 2. A copy of the organization's Internal Revenue Service
1383 determination letter as a s. 501(c)(3) not-for-profit
1384 organization.

1385 3. A description of the organization's financial plan that
1386 demonstrates sufficient funds to operate throughout the school
1387 year.

1388 4. A description of the geographic region that the
1389 organization intends to serve and an analysis of the demand and
1390 unmet need for eligible students in that area.

1391 5. The organization's organizational chart.

1392 6. A description of the criteria and methodology that the

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1393 organization will use to evaluate scholarship eligibility.

1394 7. A description of the application process, including
1395 deadlines and any associated fees.

1396 8. A description of the deadlines for attendance
1397 verification and scholarship payments.

1398 9. A copy of the organization's policies on conflict of
1399 interest and whistleblowers.

1400 10. A copy of a surety bond or letter of credit to secure
1401 the faithful performance of the obligations of the eligible
1402 nonprofit scholarship-funding organization in accordance with
1403 this section in an amount equal to 25 percent of the scholarship
1404 funds anticipated for each school year or \$100,000, whichever is
1405 greater. The surety bond or letter of credit must specify that
1406 any claim against the bond or letter of credit may be made only
1407 by an eligible nonprofit scholarship-funding organization to
1408 provide scholarships to and on behalf of students who would have
1409 had scholarships funded if it were not for the diversion of
1410 funds giving rise to the claim against the bond or letter of
1411 credit.

1412 (b) In addition to the information required by
1413 subparagraphs (a)1.-9., an application for renewal must include:

1414 1. A surety bond or letter of credit to secure the faithful
1415 performance of the obligations of the eligible nonprofit
1416 scholarship-funding organization in accordance with this section
1417 equal to the amount of undisbursed donations held by the
1418 organization based on the annual report submitted pursuant to
1419 paragraph (6) (m). The amount of the surety bond or letter of
1420 credit must be at least \$100,000, but not more than \$25 million.
1421 The surety bond or letter of credit must specify that any claim

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1422 against the bond or letter of credit may be made only by an
1423 eligible nonprofit scholarship-funding organization to provide
1424 scholarships to and on behalf of students who would have had
1425 scholarships funded if it were not for the diversion of funds
1426 giving rise to the claim against the bond or letter of credit.

1427 2. The organization's completed Internal Revenue Service
1428 Form 990 submitted no later than November 30 of the year before
1429 the school year that the organization intends to offer the
1430 scholarships, notwithstanding the September 1 application
1431 deadline.

1432 3. A copy of the statutorily required audit to the
1433 Department of Education and Auditor General.

1434 4. An annual report that includes:

1435 a. The number of students who completed applications, by
1436 county and by grade.

1437 b. The number of students who were approved for
1438 scholarships, by county and by grade.

1439 c. The number of students who received funding for
1440 scholarships within each funding category, by county and by
1441 grade.

1442 d. The amount of funds received, the amount of funds
1443 distributed in scholarships, and an accounting of remaining
1444 funds and the obligation of those funds.

1445 e. A detailed accounting of how the organization spent the
1446 administrative funds allowable under paragraph (6) (j).

1447 (f) All remaining funds held by a nonprofit scholarship-
1448 funding organization that is disapproved for participation must
1449 be transferred ~~revert to the Department of Revenue for~~
1450 ~~redistribution~~ to other eligible nonprofit scholarship-funding

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1451 organizations to provide scholarships for eligible students. All
1452 transferred funds must be deposited by each eligible nonprofit
1453 scholarship-funding organization receiving such funds into its
1454 scholarship account. All transferred amounts received by any
1455 eligible nonprofit scholarship-funding organization must be
1456 separately disclosed in the annual financial audit required
1457 under subsection (6).

1458 Section 7. Paragraph (aa) is added to subsection (4) of
1459 section 1009.971, Florida Statutes, to read:

1460 1009.971 Florida Prepaid College Board.—

1461 (4) FLORIDA PREPAID COLLEGE BOARD; POWERS AND DUTIES.—The
1462 board shall have the powers and duties necessary or proper to
1463 carry out the provisions of ss. 1009.97-1009.988, including, but
1464 not limited to, the power and duty to:

1465 (aa) Adopt rules relating to the purchase and use of a
1466 prepaid college plan authorized under s. 1009.98 or a college
1467 savings plan authorized under s. 1009.981 for the Gardiner
1468 Scholarship Program pursuant to s. 1002.385, which may include,
1469 but need not be limited to:

1470 1. The use of such funds for postsecondary education
1471 programs for students with disabilities;

1472 2. Effective procedures that allow program funds to be used
1473 in conjunction with other funds used by a parent in the purchase
1474 of a prepaid college plan or a college savings plan;

1475 3. The tracking and accounting of program funds separately
1476 from other funds contributed to a prepaid college plan or a
1477 college savings plan;

1478 4. The reversion of program funds, including, but not
1479 limited to, earnings from contributions to the Florida College

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1480 Savings Plan;

1481 5. The use of program funds only after private payments
1482 have been used for prepaid college plan or college savings plan
1483 expenditures;

1484 6. Contracting with each eligible nonprofit scholarship-
1485 funding organization to establish mechanisms to implement s.
1486 1002.385, including, but not limited to, identifying the source
1487 of funds being deposited in the plans; and

1488 7. The development of a written agreement that defines the
1489 owner and beneficiary of an account and outlines
1490 responsibilities for the use of the advance payment contract
1491 funds or savings program funds.

1492 Section 8. Subsection (11) is added to section 1009.98,
1493 Florida Statutes, to read:

1494 1009.98 Stanley G. Tate Florida Prepaid College Program.—

1495 (11) IMPLEMENTATION PROCEDURES.—

1496 (a) A prepaid college plan may be purchased, accounted for,
1497 used, and terminated as provided in s. 1002.385.

1498 (b) A qualified beneficiary may apply the benefits of an
1499 advance payment contract toward the program fees of a program
1500 designed for students with disabilities conducted by a state
1501 postsecondary institution. A transfer authorized under this
1502 subsection may not exceed the redemption value of the advance
1503 payment contract at a state postsecondary institution or the
1504 number of semester credit hours contracted on behalf of a
1505 qualified beneficiary. A qualified beneficiary may not be
1506 changed while a prepaid college plan contains funds contributed
1507 under s. 1002.385.

1508 Section 9. Subsection (10) is added to section 1009.981,

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1509 Florida Statutes, to read:

1510 1009.981 Florida College Savings Program.—

1511 (10) IMPLEMENTATION PROCEDURES.—

1512 (a) A college savings plan may be purchased, accounted for,
1513 used, and terminated as provided in s. 1002.385.

1514 (b) A designated beneficiary may apply the benefits of a
1515 participation agreement toward the program fees of a program
1516 designed for students with disabilities conducted by a state
1517 postsecondary institution. A designated beneficiary may not be
1518 changed while a college savings plan contains funds contributed
1519 under s. 1002.385.

1520 Section 10. For the 2016-2017 fiscal year:

1521 (1) The sum of \$71.2 million in recurring funds from the
1522 General Revenue Fund is appropriated to the Department of
1523 Education for scholarship awards under the Gardiner Scholarship
1524 Program. In addition to the funds appropriated for the
1525 scholarship awards, the sum of \$2,136,000 in recurring funds
1526 from the General Revenue Fund is appropriated to the Department
1527 of Education for reasonable and necessary administrative
1528 expenses for each scholarship-funding organization's management
1529 and distribution of scholarship awards under the program;
1530 however, the amount paid to each scholarship-funding
1531 organization may not exceed 3 percent of the amount of each
1532 scholarship award.

1533 (2) The sum of \$14 million in recurring funds from the
1534 General Revenue Fund is appropriated to the Department of
1535 Education for incentive payments for the Standard Student Attire
1536 Incentive Program.

1537 (3) The sum of \$8 million in recurring funds from the

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1538 General Revenue Fund is appropriated for the Florida
1539 Postsecondary Comprehensive Transition Program to be
1540 administered by the Florida Center for Students with Unique
1541 Abilities at the University of Central Florida, as follows:

1542 (a) The sum of \$1.5 million shall be provided to the
1543 Florida Center for Students with Unique Abilities for costs
1544 solely associated with the center serving as the statewide
1545 coordinating center for the program.

1546 (b) The sum of \$3 million shall be distributed for startup
1547 and enhancement grants to eligible institutions pursuant to s.
1548 1004.6495(5)(b)5., Florida Statutes.

1549 (c) The sum of \$3.5 million shall be distributed as Florida
1550 Postsecondary Comprehensive Transition Program scholarships for
1551 students who are enrolled in eligible programs.

1552 Section 11. This act shall take effect July 1, 2016.