

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  
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  
59 | attire policy to be eligible to receive incentive  
60 | payments; amending s. 1002.385, F.S.; revising terms  
61 | for purposes of the Florida Personal Learning  
62 | Scholarship Account Program; revising program  
63 | eligibility criteria and program prohibitions for such  
64 | accounts; authorizing a parent to submit a specified  
65 | document to receive scholarship funds before confirmed  
66 | eligibility; requiring that authorized program funds  
67 | be used to support the student's educational needs;  
68 | authorizing program funds to be spent for specified  
69 | fees and services; revising the terms of the program;  
70 | providing for the reversion of certain funds to the  
71 | state; revising the obligations of school districts,  
72 | parents, and the Department of Education with respect  
73 | to the program; revising the authority of the  
74 | Commissioner of Education to deny, suspend, or revoke  
75 | certain program participation and use of program  
76 | funds; specifying maximum periods for certain  
77 | suspensions and revocations; authorizing the  
78 | commissioner to recover program funds through certain

79 means; revising information that must be provided for  
80 the program by scholarship-funding organizations and  
81 parents of applicants; specifying priority for  
82 participation in the program; revising funding and  
83 payment provisions for the program; requiring the  
84 Auditor General to provide the commissioner with  
85 program annual operational audits by a specified time;  
86 amending s. 1002.395, F.S.; prohibiting a scholarship-  
87 funding organization from charging an application fee;  
88 deleting a requirement that certain fees be returned  
89 to the General Revenue Fund; providing for the  
90 transfer of contributions in excess of the amount that  
91 may be carried forward; revising the surety bond or  
92 letter of credit requirements for nonprofit  
93 scholarship-funding organizations submitting initial  
94 or renewal scholarship program participation  
95 applications; providing for the deposit of certain  
96 transferred funds by certain scholarship-funding  
97 organizations; requiring that certain deposited funds  
98 be separately disclosed; amending s. 1009.971, F.S.;  
99 revising the duties of the Florida Prepaid College  
100 Board; amending ss. 1009.98 and 1009.981, F.S.;  
101 providing implementation procedures for the Stanley G.  
102 Tate Florida Prepaid College Program and the Florida  
103 College Savings Program relating to plans purchased  
104 through the Personal Learning Scholarship Accounts

105 Programs; providing appropriations; providing an  
 106 effective date.

107  
 108 Be It Enacted by the Legislature of the State of Florida:

109  
 110 Section 1. Section 1004.6495, Florida Statutes, is created  
 111 to read:

112 1004.6495 Florida Postsecondary Comprehensive Transition  
 113 Program and Florida Center for Students with Unique Abilities.-

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

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

128 (3) DEFINITIONS.-As used in this section, the term:

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

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

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

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

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  
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

183 the Coordinating Center, as identified in 20 U.S.C. s. 1140q,  
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  
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  
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  
 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  
 279 by 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  
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  
299 institutions and school districts, private schools operating  
300 pursuant to s. 1002.42, and parents of students enrolled in home  
301 education programs operating pursuant to s. 1002.41 in assisting  
302 students with intellectual disabilities and their parents to  
303 plan for the transition of such students into an FPCTP or  
304 another program at 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  
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

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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  
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  
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  
384 the center, an eligible institution shall report to the center  
385 the 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  
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.

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  
451 to 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  
458 "Students 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.

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,  
479 a school district or charter school must, at a minimum,  
480 implement a standard attire policy that:

481 (a) Applies to all students in kindergarten through grade  
482 8 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  
494 Appropriations Act. Before the release of funds, but no later

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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  
509 of 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  
520 adopt programs and policies to ensure the safety and welfare of

521 individuals, the student body, and school personnel, which  
 522 programs and policies may:

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 Florida personal learning scholarship accounts.—

546 (1) ESTABLISHMENT OF PROGRAM.—The Florida Personal

547 Learning Scholarship Accounts Program is established to provide  
 548 the option for a parent to better meet the individual  
 549 educational needs of his or her eligible child.

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

551 (a) "Approved provider" means a provider approved by the  
 552 Agency for Persons with Disabilities, a health care practitioner  
 553 as defined in s. 456.001(4), or a provider approved by the  
 554 department pursuant to s. 1002.66.

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

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

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

570 (e) "Eligible nonprofit scholarship-funding organization"  
 571 or "organization" means a nonprofit scholarship-funding  
 572 organization that is approved pursuant to s. 1002.395(16) ~~has~~

573 ~~the same meaning as in s. 1002.395.~~

574 (f) "Eligible postsecondary educational institution" means  
 575 a Florida College System institution;; a state university;; a  
 576 school district technical center;; a school district adult  
 577 general education center; an independent college or university  
 578 that is eligible to participate in the William L. Boyd, IV,  
 579 Florida Resident Access Grant Program under s. 1009.89;; or an  
 580 accredited independent nonpublic postsecondary educational  
 581 institution, as defined in s. 1005.02, which is licensed to  
 582 operate in the state pursuant to requirements specified in part  
 583 III of chapter 1005.

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

- 588 1. Sections 1002.42 and 1002.421; and
- 589 2. A scholarship program under s. 1002.39 or s. 1002.395,  
 590 as applicable, if the private school participates in a  
 591 scholarship program under s. 1002.39 or s. 1002.395.

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

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

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

597 (3) PROGRAM ELIGIBILITY.—A parent of a student with a  
 598 disability may request and receive from the state a Florida

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599 personal learning scholarship account for the purposes specified  
600 in subsection (5) if:

601 (a) The student:

602 1. Is a resident of this state;

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

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

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

613 (b) ~~Beginning January 2015,~~ The parent has applied to an  
614 eligible nonprofit scholarship-funding organization to  
615 participate in the program by February 1 before the school year  
616 in which the student will participate or an alternative date as  
617 set by the organization for any vacant, funded slots. The  
618 request must be communicated directly to the organization in a  
619 manner that creates a written or electronic record of the  
620 request and the date of receipt of the request. In addition to  
621 the application and any documentation required by the  
622 organization or by State Board of Education rule, the parent may  
623 submit a final verification document pursuant to this paragraph  
624 to receive scholarship funds in the student's account before the



625 department confirms program eligibility pursuant to paragraph  
626 (9) (e). The final verification document must consist of one of  
627 the following items applicable to the student:

628 1. A completed withdrawal form from the school district,  
629 if the student was enrolled in a public school before the  
630 determination of program eligibility.

631 2. A letter of admission or enrollment from an eligible  
632 private school for the fiscal year in which the student wishes  
633 to participate and, if applicable, a copy of the notification  
634 from the private school that the student has withdrawn from the  
635 John M. McKay Scholarships for Students with Disabilities  
636 Program or the Florida Tax Credit Scholarship Program.

637 3. A copy of the notice of the parent's intent to  
638 establish and maintain a home education program required by s.  
639 1002.41(1)(a) or the annual educational evaluation of the  
640 student in a home education program, which is required by s.  
641 1002.41(2) ~~The organization shall notify the district and the~~  
642 ~~department of the parent's intent upon receipt of the parent's~~  
643 ~~request.~~

644 (4) PROGRAM PROHIBITIONS.—

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

647 (a)1. Enrolled in a public school, including, but not  
648 limited to, the Florida School for the Deaf and the Blind; the  
649 Florida Virtual School; the College-Preparatory Boarding  
650 Academy; a developmental research school authorized under s.

651 1002.32; a charter school authorized under s. 1002.33, s.  
652 1002.331, or s. 1002.332; or a virtual education program  
653 authorized under s. 1002.45. For purposes of this paragraph, a  
654 3- or 4-year-old child who receives services funded through the  
655 Florida Education Finance Program is considered to be a student  
656 enrolled in a public school. Funding provided under this section  
657 for a child eligible for enrollment in the Voluntary  
658 Prekindergarten Education Program shall constitute funding for  
659 the child under part V of this chapter, and no additional  
660 funding shall be provided for the child under part V.

661 (b)2. Enrolled in a school operating for the purpose of  
662 providing educational services to youth in the Department of  
663 Juvenile Justice commitment programs.

664 (c)3. Receiving a scholarship pursuant to the Florida Tax  
665 Credit Scholarship Program under s. 1002.395 or the John M.  
666 McKay Scholarships for Students with Disabilities Program under  
667 s. 1002.39.

668 (d)4. Receiving any other educational scholarship pursuant  
669 to this chapter.

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

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

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

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

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

683           (a) Instructional materials, including digital devices,  
684 digital periphery devices, and assistive technology devices that  
685 allow a student to access instruction or instructional content  
686 and training on the use of and maintenance agreements for these  
687 devices.

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

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

692           1. Applied behavior analysis services as provided in ss.  
693 627.6686 and 641.31098.

694           2. Services provided by speech-language pathologists as  
695 defined in s. 468.1125.

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

697           4. Services provided by physical therapists as defined in  
698 s. 486.021.

699           5. Services provided by listening and spoken language  
700 specialists and an appropriate acoustical environment for a  
701 child who is deaf or hard of hearing and who has received an  
702 implant or assistive hearing device.

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

713 (e) Fees for nationally standardized, norm-referenced  
714 achievement tests, Advanced Placement Examinations, industry  
715 certification examinations, assessments related to postsecondary  
716 education, or other assessments.

717 (f) Contributions to the Stanley G. Tate Florida Prepaid  
718 College Program pursuant to s. 1009.98 or the Florida College  
719 Savings Program pursuant to s. 1009.981, for the benefit of the  
720 eligible student.

721 (g) Contracted services provided by a public school or  
722 school district, including classes. A student who receives  
723 services under a contract under this paragraph is not considered  
724 enrolled in a public school for eligibility purposes as  
725 specified in subsection (4).

726 (h) Tuition and fees for part-time tutoring services  
727 provided by a person who holds a valid Florida educator's  
728 certificate pursuant to s. 1012.56; a person who holds an

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729 adjunct teaching certificate pursuant to s. 1012.57; or a person  
730 who has demonstrated a mastery of subject area knowledge  
731 pursuant to s. 1012.56(5). As used in this paragraph, the term  
732 "part-time tutoring services" does not qualify as regular school  
733 attendance as defined in s. 1003.01(13)(e).

734 (i) Fees for specialized summer education programs.

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

736 (k) Transition services provided by job coaches.

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

740 (m) Tuition and fees associated with programs offered by  
741 Voluntary Prekindergarten Education Program providers approved  
742 pursuant to s. 1002.55 and school readiness providers approved  
743 pursuant to s. 1002.88.

744  
745 ~~A provider of any services specialized service provider,~~  
746 ~~eligible private school, eligible postsecondary educational~~  
747 ~~institution, private tutoring program provider, online or~~  
748 ~~virtual program provider, public school, school district, or~~  
749 ~~other entity~~ receiving payments pursuant to this subsection may  
750 not share, refund, or rebate any moneys from the Florida  
751 personal learning scholarship account with the parent or  
752 participating student in any manner.

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

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755        (a)1. The Program payments made by the state to an  
756 organization for a personal learning scholarship account under  
757 this section shall continue ~~remain in force~~ until:  
758        a. The parent does not renew program eligibility;  
759        b. The organization determines that the student is not  
760 eligible for program renewal;  
761        c. The Commissioner of Education suspends or revokes  
762 program participation or use of funds;  
763        d. The student's parent has forfeited participation in the  
764 program for failure to comply with subsection (11);  
765        e. The student enrolls in a public school; or  
766        f. The student graduates from high school or attains 22  
767 years of age, whichever occurs first ~~a student participating in~~  
768 ~~the program participates in any of the prohibited activities~~  
769 ~~specified in subsection (4), has funds revoked by the~~  
770 ~~Commissioner of Education pursuant to subsection (10), returns~~  
771 ~~to a public school, graduates from high school, or attains 22~~  
772 ~~years of age, whichever occurs first. A participating student~~  
773 ~~who enrolls in a public school or public school program is~~  
774 ~~considered to have returned to a public school for the purpose~~  
775 ~~of determining the end of the program's term.~~  
776        2. Reimbursements for program expenditures may continue  
777 until the account balance is expended or the account is closed  
778 pursuant to paragraph (b).  
779        (b)1. A student's personal learning scholarship account  
780 must be closed and any remaining funds, including, but not

781 limited to, contributions made to the Stanley G. Tate Florida  
 782 Prepaid College Program or earnings from or contributions made  
 783 to the Florida College Savings Program using program funds  
 784 pursuant to paragraph (5) (f), shall revert to the state upon:

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

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

794 2. The commissioner must notify the parent and the  
 795 organization when a personal learning scholarship account is  
 796 closed and program funds revert to the state.

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

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

807 and a matrix of services within 30 days after receipt of the  
808 parent's request in accordance with State Board of Education  
809 rules. ~~a matrix of services under s. 1011.62(1)(e) and for whom~~  
810 ~~the parent requests a matrix of services,~~ The school district  
811 must complete a matrix that assigns the student to one of the  
812 levels of service as they existed before the 2000-2001 school  
813 year.

814 2.a. ~~Within 10 school days after a school district~~  
815 ~~receives notification of a parent's request for completion of a~~  
816 ~~matrix of services, the school district must notify the~~  
817 ~~student's parent if the matrix of services has not been~~  
818 ~~completed and inform the parent that the district is required to~~  
819 ~~complete the matrix within 30 days after receiving notice of the~~  
820 ~~parent's request for the matrix of services. This notice must~~  
821 ~~include the required completion date for the matrix.~~

822 ~~b. The school district shall complete the matrix of~~  
823 ~~services for a student whose parent has made a request. The~~  
824 school district must provide the student's parent and the  
825 department with the student's matrix level within 10 calendar  
826 ~~school~~ days after its completion.

827 ~~b.e.~~ The department shall notify the parent and the  
828 ~~eligible nonprofit scholarship-funding~~ organization of the  
829 amount of the funds awarded within 10 days after receiving the  
830 school district's notification of the student's matrix level.

831 ~~c.d.~~ A school district may change a matrix of services  
832 only if the change is a result of an IEP reevaluation or to



833 correct a technical, typographical, or calculation error.

834 (b) For each student participating in the program who  
835 chooses to participate in statewide, standardized assessments  
836 under s. 1008.22 or the Florida Alternate Assessment, the school  
837 district in which the student resides must notify the student  
838 and his or her parent about the locations and times to take all  
839 statewide, standardized assessments.

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

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

846 (a) Comply with all requirements for private schools  
847 participating in state school choice scholarship programs  
848 pursuant to s. 1002.421.

849 (b) Provide to the ~~eligible nonprofit scholarship-funding~~  
850 organization, upon request, all documentation required for the  
851 student's participation, including the private school's and  
852 student's fee schedules.

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

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

857 2. Annually administering or making provision for students  
858 participating in the program in grades 3 through 10 to take one

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859 of the nationally norm-referenced tests identified by the  
860 Department of Education or the statewide assessments pursuant to  
861 s. 1008.22. Students with disabilities for whom standardized  
862 testing is not appropriate are exempt from this requirement. A  
863 participating private school shall report a student's scores to  
864 the parent.

865 3. Cooperating with the scholarship student whose parent  
866 chooses to have the student participate in the statewide  
867 assessments pursuant to s. 1008.22 or, if a private school  
868 chooses to offer the statewide assessments, administering the  
869 assessments at the school.

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

873 b. A participating private school shall submit a request  
874 in writing to the Department of Education by March 1 of each  
875 year in order to administer the statewide assessments in the  
876 subsequent school year.

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

880 (e) Annually contract with an independent certified public  
881 accountant to perform the agreed-upon procedures developed under  
882 s. 1002.395(6)(o) ~~s. 1002.395(6)(n)~~ and produce a report of the  
883 results if the private school receives more than \$250,000 in  
884 funds from scholarships awarded under this section in the 2014-

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885 2015 state fiscal year or a state fiscal year thereafter. A  
886 private school subject to this paragraph must submit the report  
887 by September 15, 2015, and annually thereafter to the  
888 ~~scholarship-funding~~ organization that awarded the majority of  
889 the school's scholarship funds. The agreed-upon procedures must  
890 be conducted in accordance with attestation standards  
891 established by the American Institute of Certified Public  
892 Accountants.

893  
894 The inability of a private school to meet the requirements of  
895 this subsection constitutes a basis for the ineligibility of the  
896 private school to participate in the program as determined by  
897 the commissioner ~~department~~.

898 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department  
899 shall:

900 (a) Maintain on its website a list of approved providers  
901 as required in s. 1002.66, eligible postsecondary educational  
902 institutions, eligible private schools, and organizations and  
903 may identify or provide links to lists of other approved  
904 providers.

905 (b) Require each ~~eligible nonprofit scholarship-funding~~  
906 organization to verify eligible expenditures before the  
907 distribution of funds for any expenditures made pursuant to  
908 paragraphs (5) (a) and (b). Review of expenditures made for  
909 services specified in paragraphs (5) (c) - (m) ~~(5) (e) - (g)~~ may be  
910 completed after the purchase is ~~payment has been~~ made.

911 (c) Investigate any written complaint of a violation of  
 912 this section by a parent, a student, a private school, a public  
 913 school or a school district, an organization, a provider, or  
 914 another appropriate party in accordance with the process  
 915 established by s. 1002.395(9)(f).

916 (d) Require quarterly reports by an ~~eligible nonprofit~~  
 917 ~~scholarship-funding~~ organization, which must, at a minimum,  
 918 include regarding the number of students participating in the  
 919 program; the demographics of program participants; the  
 920 disability category of program participants; the matrix level of  
 921 services, if known; the program award amount per student; the  
 922 total expenditures for the purposes specified in subsection  
 923 (5); ~~the types of providers of services to students;~~ and any  
 924 other information deemed necessary by the department.

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

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

937 (a) The Commissioner of Education:

938 1. ~~Shall deny, suspend, or revoke a student's~~

939 ~~participation in the program if the health, safety, or welfare~~

940 ~~of the student is threatened or fraud is suspected.~~

941 2. ~~Shall deny, suspend, or revoke an authorized use of~~

942 ~~program funds if the health, safety, or welfare of the student~~

943 ~~is threatened or fraud is suspected.~~

944 3. ~~May deny, suspend, or revoke an authorized use of~~

945 ~~program funds for material failure to comply with this section~~

946 ~~and applicable department rules if the noncompliance is~~

947 ~~correctable within a reasonable period of time. Otherwise, the~~

948 ~~commissioner shall deny, suspend, or revoke an authorized use~~

949 ~~for failure to materially comply with the law and rules adopted~~

950 ~~under this section.~~

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

952 ~~date certain for all nonmaterial failures to comply with this~~

953 ~~section and applicable department rules. The commissioner May~~

954 ~~deny, suspend, or revoke program participation~~ or use of program

955 funds by the student or participation or eligibility of an

956 organization, eligible private school, eligible postsecondary

957 educational institution, approved provider, or other party for a

958 violation of this section.

959 2. May determine the length of, and conditions for

960 lifting, a suspension or revocation specified in this

961 subsection.

962 3. May recover unexpended program funds or withhold

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963 payment of an equal amount of program funds to recover program  
964 funds that were not authorized for use.

965 4. Shall deny or terminate program participation upon a  
966 parent's forfeiture of a personal learning scholarship account  
967 pursuant to subsection (11) ~~under this section thereafter.~~

968 (b) In determining whether to ~~deny,~~ suspend, or revoke  
969 participation or lift a suspension or revocation in accordance  
970 with this subsection, the commissioner may consider factors that  
971 include, but are not limited to, acts or omissions that ~~by a~~  
972 ~~participating entity which~~ led to a previous suspension ~~denial~~  
973 or revocation of participation in a state or federal program or  
974 an education scholarship program; failure to reimburse the  
975 ~~eligible nonprofit scholarship funding~~ organization for program  
976 funds improperly received or retained by the entity; failure to  
977 reimburse government funds improperly received or retained;  
978 imposition of a prior criminal sanction related to the person or  
979 entity or its officers or employees; imposition of a civil fine  
980 or administrative fine, license revocation or suspension, or  
981 program eligibility suspension, termination, or revocation  
982 related to a person's or an entity's management or operation; or  
983 other types of criminal proceedings in which the person or  
984 entity or its officers or employees were found guilty of,  
985 regardless of adjudication, or entered a plea of nolo contendere  
986 or guilty to, any offense involving fraud, deceit, dishonesty,  
987 or moral turpitude.

988 (11) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM

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

999 (a) To satisfy or maintain program eligibility, including  
 1000 eligibility to receive and spend program payments ~~enroll an~~  
 1001 ~~eligible student in the program~~, the parent must sign an  
 1002 agreement with the ~~eligible nonprofit scholarship-funding~~  
 1003 organization and annually submit a notarized, sworn compliance  
 1004 statement to the organization to:

1005 1. Affirm that the student is enrolled in a program that  
 1006 meets regular school attendance requirements as provided in s.  
 1007 1003.01(13)(b)-(d).

1008 2. Affirm that ~~Use~~ the program funds are used only for  
 1009 authorized purposes serving the student's educational needs, as  
 1010 described in subsection (5).

1011 3. Affirm that the parent is responsible for the education  
 1012 of his or her student by, as applicable: ~~takes all appropriate~~  
 1013 ~~standardized assessments as specified in this section.~~

1014 a. Requiring the student to ~~If the parent enrolls the~~

1015 ~~child in an eligible private school, the student must take an~~  
1016 ~~assessment in accordance with paragraph (8) (c); selected by the~~  
1017 ~~private school pursuant to s. 1002.395(7)(e).~~

1018 b. Providing an ~~If the parent enrolls the child in a home~~  
1019 ~~education program, the parent may choose to participate in an~~  
1020 ~~assessment as part of the annual evaluation in accordance with~~  
1021 ~~provided for in s. 1002.41(1) (c); or.~~

1022 c. Requiring the child to take any pre- and post-  
1023 assessments selected by the provider if the child is 4 years of  
1024 age and is enrolled in a program provided by an eligible  
1025 Voluntary Prekindergarten Education Program provider. A student  
1026 with disabilities for whom a pre- and post-assessment is not  
1027 appropriate is exempt from this requirement. A participating  
1028 provider shall report a student's scores to the parent.

1029 ~~4. Notify the school district that the student is~~  
1030 ~~participating in the Personal Learning Scholarship Accounts if~~  
1031 ~~the parent chooses to enroll in a home education program as~~  
1032 ~~provided in s. 1002.41.~~

1033 ~~5. Request participation in the program by the date~~  
1034 ~~established by the eligible nonprofit scholarship-funding~~  
1035 ~~organization.~~

1036 ~~4.6.~~ Affirm that the student remains in good standing with  
1037 the provider or school if those options are selected by the  
1038 parent.

1039 ~~7. Apply for admission of his or her child if the private~~  
1040 ~~school option is selected by the parent.~~



- 1041 ~~8. Annually renew participation in the program.~~  
1042 ~~Notwithstanding any changes to the student's IEP, a student who~~  
1043 ~~was previously eligible for participation in the program shall~~  
1044 ~~remain eligible to apply for renewal as provided in subsection~~  
1045 ~~(6).~~
- 1046 ~~9. Affirm that the parent will not transfer any college~~  
1047 ~~savings funds to another beneficiary.~~
- 1048 ~~10. Affirm that the parent will not take possession of any~~  
1049 ~~funding provided by the state for the Florida Personal Learning~~  
1050 ~~Scholarship Accounts.~~
- 1051 ~~11. Maintain a portfolio of records and materials which~~  
1052 ~~must be preserved by the parent for 2 years and be made~~  
1053 ~~available for inspection by the district school superintendent~~  
1054 ~~or the superintendent's designee upon 15 days' written notice.~~  
1055 ~~This paragraph does not require the superintendent to inspect~~  
1056 ~~the portfolio. The portfolio of records and materials must~~  
1057 ~~consist of:~~
- 1058 ~~a. A log of educational instruction and services which is~~  
1059 ~~made contemporaneously with delivery of the instruction and~~  
1060 ~~services and which designates by title any reading materials~~  
1061 ~~used; and~~
- 1062 ~~b. Samples of any writings, worksheets, workbooks, or~~  
1063 ~~creative materials used or developed by the student.~~
- 1064 (b) The parent must file an application for initial  
1065 program participation with an organization by the dates  
1066 established pursuant to this section.

1067        (c) The parent must notify the school district that the  
1068 student is participating in the Personal Learning Scholarship  
1069 Program if the parent chooses to enroll the student in a home  
1070 education program as provided in s. 1002.41. This notification  
1071 is not in lieu of the required notification a parent must submit  
1072 to the district when establishing a home education program  
1073 pursuant to s. 1002.41(1)(a).

1074        (d) The parent must enroll his or her child in a program  
1075 from a Voluntary Prekindergarten Education Program provider  
1076 authorized under s. 1002.55, a school readiness provider  
1077 authorized under s. 1002.88, or an eligible private school if  
1078 either option is selected by the parent.

1079        (e) The parent must annually renew participation in the  
1080 program. Notwithstanding any changes to the student's IEP, a  
1081 student who was previously eligible for participation in the  
1082 program shall remain eligible to apply for renewal. However, for  
1083 a high-risk child to continue to participate in the program in  
1084 the school year after he or she reaches 6 years of age, the  
1085 child's application for renewal of program participation must  
1086 contain documentation that the child has a disability defined in  
1087 paragraph (2)(d) other than high-risk status.

1088        (f) ~~(b)~~ The parent is responsible for procuring the  
1089 services necessary to educate the student. When the student  
1090 receives a personal learning scholarship account, the district  
1091 school board is not obligated to provide the student with a free  
1092 appropriate public education. For purposes of s. 1003.57 and the

1093 Individuals with Disabilities in Education Act, a participating  
 1094 student has only those rights that apply to all other  
 1095 unilaterally parentally placed students, except that, when  
 1096 requested by the parent, school district personnel must develop  
 1097 an individual education plan or matrix level of services.

1098 (g)~~(e)~~ The parent is responsible for ~~the payment of all~~  
 1099 eligible expenses in excess of the amount of the personal  
 1100 learning scholarship account ~~in accordance with the terms agreed~~  
 1101 ~~to between the parent and the providers.~~

1102 (h) The parent may not transfer any prepaid college plan  
 1103 or college savings plan funds contributed pursuant to paragraph  
 1104 (5) (f) to another beneficiary while the plan contains funds  
 1105 contributed pursuant to this section.

1106 (i) The parent may not receive a payment, refund, or  
 1107 rebate from an approved provider of any services under this  
 1108 program.

1109  
 1110 A parent who fails to comply with this subsection forfeits the  
 1111 personal learning scholarship account.

1112 (12) OBLIGATIONS OF SCHOLARSHIP-FUNDING ORGANIZATIONS  
 1113 ADMINISTRATION OF PERSONAL LEARNING SCHOLARSHIP ACCOUNTS.—An  
 1114 ~~eligible nonprofit scholarship-funding~~ organization  
 1115 ~~participating in the Florida Tax Credit Scholarship Program~~  
 1116 ~~established under s. 1002.395~~ may establish personal learning  
 1117 scholarship accounts for eligible students by:

1118 (a) Receiving applications and determining student

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1119 eligibility in accordance with the requirements of this section.  
1120 ~~The organization shall notify the department of the applicants~~  
1121 ~~for the program by March 1 before the school year in which the~~  
1122 ~~student intends to participate.~~ When an application is approved  
1123 ~~received~~, the ~~scholarship funding~~ organization must provide the  
1124 department with information on the student to enable the  
1125 department to determine ~~report the student for~~ funding in  
1126 accordance with subsection (13).

1127 (b) Notifying parents of their receipt of a scholarship on  
1128 a first-come, first-served basis, based upon the funds provided  
1129 ~~for this program in the General Appropriations Act.~~

1130 (c) Establishing a date pursuant to paragraph (3) (b) by  
1131 which a parent must confirm initial or continuing participation  
1132 in the program and ~~confirm the establishment or continuance of a~~  
1133 ~~personal learning scholarship account.~~

1134 (d) Reviewing applications and awarding scholarship funds  
1135 to approved applicants using the following priorities:

- 1136 1. Renewing students from the previous school year;  
1137 2. Students retained on the previous school year's wait  
1138 list;  
1139 3. Newly approved applicants; and  
1140 4. Late-filed applicants.

1141  
1142 An approved student who does not receive a scholarship must be  
1143 placed on the wait list in the order in which his or her  
1144 application is approved. ~~The Establishing a date and process by~~

1145 ~~which~~ students on the wait list or subsequent late-filing  
 1146 applicants may be allowed to participate in the program during  
 1147 the fiscal school year, within the amount of funds provided ~~for~~  
 1148 ~~this program in the General Appropriations Act.~~ A student who  
 1149 does not receive a scholarship within the fiscal year shall be  
 1150 retained on the wait list for the subsequent year.

1151 (e) Establishing and maintaining separate accounts for  
 1152 each eligible student. For each account, the organization must  
 1153 maintain a record of accrued interest that is retained in the  
 1154 student's account and available only for authorized program  
 1155 expenditures.

1156 (f) Verifying qualifying educational expenditures pursuant  
 1157 to the requirements of paragraph (9) (b) ~~(8) (b)~~.

1158 (g) Returning any remaining program ~~unused~~ funds to the  
 1159 department pursuant to paragraph (6) (b) ~~when the student is no~~  
 1160 ~~longer eligible for a personal scholarship learning account.~~

1161 (h) Notifying the parent about the availability of, and  
 1162 the requirements associated with, requesting an initial IEP or  
 1163 IEP reevaluation every 3 years for each student participating in  
 1164 the program.

1165 (i) Notifying the department of any violation of this  
 1166 section.

1167 (j) Documenting each scholarship student's eligibility for  
 1168 a fiscal year before granting a scholarship for that fiscal year  
 1169 pursuant to paragraph (3) (b).

1170 (13) FUNDING AND PAYMENT.—

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1171 (a)1. The maximum funding amount granted for an eligible  
1172 student with a disability, pursuant to subsection (3), shall be  
1173 equivalent to the base student allocation in the Florida  
1174 Education Finance Program multiplied by the appropriate cost  
1175 factor for the educational program which would have been  
1176 provided for the student in the district school to which he or  
1177 she would have been assigned, multiplied by the district cost  
1178 differential.

1179 2. In addition, an amount equivalent to a share of the  
1180 guaranteed allocation for exceptional students in the Florida  
1181 Education Finance Program shall be determined and added to the  
1182 amount in subparagraph 1. The calculation shall be based on the  
1183 methodology and the data used to calculate the guaranteed  
1184 allocation for exceptional students for each district in chapter  
1185 2000-166, Laws of Florida. Except as provided in subparagraph  
1186 3., the calculation shall be based on the student's grade, the  
1187 matrix level of services, and the difference between the 2000-  
1188 2001 basic program and the appropriate level of services cost  
1189 factor, multiplied by the 2000-2001 base student allocation and  
1190 the 2000-2001 district cost differential for the sending  
1191 district. The calculated amount must also include an amount  
1192 equivalent to the per-student share of supplemental academic  
1193 instruction funds, instructional materials funds, technology  
1194 funds, and other categorical funds as provided in the General  
1195 Appropriations Act.

1196 3. Except as otherwise provided in subsection (7), the

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1197 calculation for all students participating in the program shall  
1198 be based on the matrix that assigns the student to support Level  
1199 III of services. If a parent chooses to request and receive a  
1200 matrix of services from the school district, when the school  
1201 district completes the matrix, the amount of the payment shall  
1202 be adjusted as needed.

1203 (b) The amount of the awarded funds shall be 90 percent of  
1204 the calculated amount. One hundred percent of the funds  
1205 appropriated for the program shall be released to the department  
1206 at the beginning of the first quarter of each fiscal year.

1207 (c) Upon notification from the organization that a parent  
1208 has filed a final verification document pursuant to paragraph  
1209 (3) (b) or upon notification from the organization that a 3- or  
1210 4-year-old child's application has been approved for the  
1211 program, the department shall release the student's scholarship  
1212 funds to the organization to be deposited into the student's  
1213 account ~~an eligible student's graduation from an eligible~~  
1214 ~~postsecondary educational institution or after any period of 4~~  
1215 ~~consecutive years after high school graduation in which the~~  
1216 ~~student is not enrolled in an eligible postsecondary educational~~  
1217 ~~institution, the student's personal learning scholarship account~~  
1218 ~~shall be closed, and any remaining funds shall revert to the~~  
1219 ~~state.~~

1220 (d) For initial eligibility for the program, students  
1221 determined eligible by the organization for a personal learning  
1222 scholarship amount by:

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1223 1. September 1 shall receive 100 percent of the total  
1224 awarded funds.

1225 2. November 1 shall receive 75 percent of the total  
1226 awarded funds.

1227 3. February 1 shall receive 50 percent of the total  
1228 awarded funds.

1229 4. April 1 shall receive 25 percent of the total awarded  
1230 funds.

1231 (e) Accrued interest in the student's account is in  
1232 addition to, and not part of, the awarded funds. Program funds  
1233 include both the awarded funds and accrued interest.

1234 (f)-(d) The eligible nonprofit scholarship-funding  
1235 organization may shall develop a system for payment of benefits  
1236 by electronic funds transfer, including, but not limited to,  
1237 debit cards, electronic payment cards, or any other means of  
1238 electronic payment that the department deems to be commercially  
1239 viable or cost-effective. A student's scholarship award may not  
1240 be reduced for debit card or electronic payment fees.

1241 Commodities or services related to the development of such a  
1242 system shall be procured by competitive solicitation unless they  
1243 are purchased from a state term contract pursuant to s. 287.056.

1244 (g) In addition to funds appropriated for scholarship  
1245 awards and subject to a separate, specific legislative  
1246 appropriation, an organization may receive an amount equivalent  
1247 to not more than 3 percent of the amount of each scholarship  
1248 award from state funds for administrative expenses if the



1249 organization has operated as a nonprofit entity for at least the  
 1250 preceding 3 fiscal years and did not have any findings of  
 1251 material weakness or material noncompliance in its most recent  
 1252 audit under s. 1002.395(6)(m). Such administrative expenses must  
 1253 be reasonable and necessary for the organization's management  
 1254 and distribution of scholarships under this section. Funds  
 1255 authorized under this paragraph may not be used for lobbying or  
 1256 political activity or expenses related to lobbying or political  
 1257 activity. An organization may not charge an application fee for  
 1258 a scholarship. Administrative expenses may not be deducted from  
 1259 funds appropriated for scholarship awards.

1260 (h)-(e) Moneys received pursuant to this section do not  
 1261 constitute taxable income to the qualified student or parent of  
 1262 the qualified student.

1263 (14) OBLIGATIONS OF THE AUDITOR GENERAL.—

1264 (a) The Auditor General shall conduct an annual ~~financial~~  
 1265 ~~and~~ operational audit of accounts and records of each ~~eligible~~  
 1266 ~~scholarship-funding~~ organization that participates in the  
 1267 program. As part of this audit, the Auditor General shall  
 1268 verify, at a minimum, the total amount of students served and  
 1269 the eligibility of reimbursements made by the ~~each eligible~~  
 1270 ~~nonprofit scholarship-funding~~ organization and transmit that  
 1271 information to the department. The Auditor General shall provide  
 1272 the commissioner with a copy of each annual operational audit  
 1273 performed pursuant to this subsection within 10 days after the  
 1274 audit is finalized.

1275 (b) The Auditor General shall notify the department of any  
 1276 ~~eligible nonprofit scholarship funding~~ organization that fails  
 1277 to comply with a request for information.

1278 (15) OBLIGATIONS RELATED TO APPROVED PROVIDERS.—The  
 1279 Department of Health, the Agency for Persons with Disabilities,  
 1280 and the Department of Education shall work with an ~~eligible~~  
 1281 ~~nonprofit scholarship funding~~ organization for easy or automated  
 1282 access to lists of licensed providers of services specified in  
 1283 paragraph (5) (c) to ensure efficient administration of the  
 1284 program.

1285 (16) LIABILITY.—The state is not liable for the award or  
 1286 any use of awarded funds under this section.

1287 (17) SCOPE OF AUTHORITY.—This section does not expand the  
 1288 regulatory authority of this state, its officers, or any school  
 1289 district to impose additional regulation on participating  
 1290 private schools, independent ~~nonpublic~~ postsecondary educational  
 1291 institutions, and private providers beyond those reasonably  
 1292 necessary to enforce requirements expressly set forth in this  
 1293 section.

1294 (18) RULES.—The State Board of Education shall adopt rules  
 1295 pursuant to ss. 120.536(1) and 120.54 to administer this  
 1296 section.

1297 ~~(19) IMPLEMENTATION SCHEDULE FOR THE 2014-2015 SCHOOL~~  
 1298 ~~YEAR. Notwithstanding the provisions of this section related to~~  
 1299 ~~notification and eligibility timelines, an eligible nonprofit~~  
 1300 ~~scholarship funding organization may enroll parents on a rolling~~

1301 ~~schedule on a first-come, first-served basis, within the amount~~  
 1302 ~~of funds provided in the General Appropriations Act.~~

1303 Section 6. Paragraph (j) of subsection (6) and paragraphs  
 1304 (a), (b), and (f) of subsection (16) of section 1002.395,  
 1305 Florida Statutes, are amended to read:

1306 1002.395 Florida Tax Credit Scholarship Program.—

1307 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING  
 1308 ORGANIZATIONS.—An eligible nonprofit scholarship-funding  
 1309 organization:

1310 (j)1. May use up to 3 percent of eligible contributions  
 1311 received during the state fiscal year in which such  
 1312 contributions are collected for administrative expenses if the  
 1313 organization has operated as an eligible nonprofit scholarship-  
 1314 funding organization ~~under this section~~ for at least the  
 1315 preceding 3 ~~state~~ fiscal years and did not have any ~~negative~~  
 1316 financial findings of material weakness or material  
 1317 noncompliance in its most recent audit under paragraph (m). Such  
 1318 administrative expenses must be reasonable and necessary for the  
 1319 organization's management and distribution of eligible  
 1320 contributions under this section. No funds authorized under this  
 1321 subparagraph shall be used for lobbying or political activity or  
 1322 expenses related to lobbying or political activity. Up to one-  
 1323 third of the funds authorized for administrative expenses under  
 1324 this subparagraph may be used for expenses related to the  
 1325 recruitment of contributions from taxpayers. ~~If~~ An eligible  
 1326 nonprofit scholarship-funding organization may not charge

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1327 ~~charges an application fee for a scholarship, the application~~  
1328 ~~fee must be immediately refunded to the person that paid the fee~~  
1329 ~~if the student is not enrolled in a participating school within~~  
1330 ~~12 months.~~

1331 2. Must expend for annual or partial-year scholarships an  
1332 amount equal to or greater than 75 percent of the net eligible  
1333 contributions remaining after administrative expenses during the  
1334 state fiscal year in which such contributions are collected. No  
1335 more than 25 percent of such net eligible contributions may be  
1336 carried forward to the following state fiscal year. All amounts  
1337 carried forward, for audit purposes, must be specifically  
1338 identified for particular students, by student name and the name  
1339 of the school to which the student is admitted, subject to the  
1340 requirements of ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g,  
1341 and the applicable rules and regulations issued pursuant  
1342 thereto. Any amounts carried forward shall be expended for  
1343 annual or partial-year scholarships in the following state  
1344 fiscal year. Net eligible contributions remaining on June 30 of  
1345 each year that are in excess of the 25 percent that may be  
1346 carried forward shall be transferred to other eligible nonprofit  
1347 scholarship-funding organizations to provide scholarships for  
1348 eligible students. All transferred funds must be deposited by  
1349 each eligible nonprofit scholarship-funding organization  
1350 receiving such funds into its scholarship account. All  
1351 transferred amounts received by any eligible nonprofit  
1352 scholarship-funding organization must be separately disclosed in

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1353 the annual financial audit required under paragraph (m) ~~returned~~  
1354 ~~to the State Treasury for deposit in the General Revenue Fund.~~

1355 3. Must, before granting a scholarship for an academic  
1356 year, document each scholarship student's eligibility for that  
1357 academic year. A scholarship-funding organization may not grant  
1358 multiyear scholarships in one approval process.

1359

1360 Information and documentation provided to the Department of  
1361 Education and the Auditor General relating to the identity of a  
1362 taxpayer that provides an eligible contribution under this  
1363 section shall remain confidential at all times in accordance  
1364 with s. 213.053.

1365 (16) NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS;  
1366 APPLICATION.—In order to participate in the scholarship program  
1367 created under this section, a charitable organization that seeks  
1368 to be a nonprofit scholarship-funding organization must submit  
1369 an application for initial approval or renewal to the Office of  
1370 Independent Education and Parental Choice no later than  
1371 September 1 of each year before the school year for which the  
1372 organization intends to offer scholarships.

1373 (a) An application for initial approval must include:

1374 1. A copy of the organization's incorporation documents  
1375 and registration with the Division of Corporations of the  
1376 Department of State.

1377 2. A copy of the organization's Internal Revenue Service  
1378 determination letter as a s. 501(c)(3) not-for-profit

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1379 organization.

1380 3. A description of the organization's financial plan that  
1381 demonstrates sufficient funds to operate throughout the school  
1382 year.

1383 4. A description of the geographic region that the  
1384 organization intends to serve and an analysis of the demand and  
1385 unmet need for eligible students in that area.

1386 5. The organization's organizational chart.

1387 6. A description of the criteria and methodology that the  
1388 organization will use to evaluate scholarship eligibility.

1389 7. A description of the application process, including  
1390 deadlines and any associated fees.

1391 8. A description of the deadlines for attendance  
1392 verification and scholarship payments.

1393 9. A copy of the organization's policies on conflict of  
1394 interest and whistleblowers.

1395 10. A copy of a surety bond or letter of credit to secure  
1396 the faithful performance of the obligations of the eligible  
1397 nonprofit scholarship-funding organization in accordance with  
1398 this section in an amount equal to 25 percent of the scholarship  
1399 funds anticipated for each school year or \$100,000, whichever is  
1400 greater. The surety bond or letter of credit must specify that  
1401 any claim against the bond or letter of credit may be made only  
1402 by an eligible nonprofit scholarship-funding organization to  
1403 provide scholarships to and on behalf of students who would have  
1404 had scholarships funded if it were not for the diversion of

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1405 funds giving rise to the claim against the bond or letter of  
1406 credit.

1407 (b) In addition to the information required by  
1408 subparagraphs (a)1.-9., an application for renewal must include:

1409 1. A surety bond or letter of credit to secure the  
1410 faithful performance of the obligations of the eligible  
1411 nonprofit scholarship-funding organization in accordance with  
1412 this section equal to the amount of undisbursed donations held  
1413 by the organization based on the annual report submitted  
1414 pursuant to paragraph (6) (m). The amount of the surety bond or  
1415 letter of credit must be at least \$100,000, but not more than  
1416 \$25 million. The surety bond or letter of credit must specify  
1417 that any claim against the bond or letter of credit may be made  
1418 only by an eligible nonprofit scholarship-funding organization  
1419 to provide scholarships to and on behalf of students who would  
1420 have had scholarships funded if it were not for the diversion of  
1421 funds giving rise to the claim against the bond or letter of  
1422 credit.

1423 2. The organization's completed Internal Revenue Service  
1424 Form 990 submitted no later than November 30 of the year before  
1425 the school year that the organization intends to offer the  
1426 scholarships, notwithstanding the September 1 application  
1427 deadline.

1428 3. A copy of the statutorily required audit to the  
1429 Department of Education and Auditor General.

1430 4. An annual report that includes:

1431 a. The number of students who completed applications, by  
1432 county and by grade.

1433 b. The number of students who were approved for  
1434 scholarships, by county and by grade.

1435 c. The number of students who received funding for  
1436 scholarships within each funding category, by county and by  
1437 grade.

1438 d. The amount of funds received, the amount of funds  
1439 distributed in scholarships, and an accounting of remaining  
1440 funds and the obligation of those funds.

1441 e. A detailed accounting of how the organization spent the  
1442 administrative funds allowable under paragraph (6) (j).

1443 (f) All remaining funds held by a nonprofit scholarship-  
1444 funding organization that is disapproved for participation must  
1445 be transferred ~~revert to the Department of Revenue for~~  
1446 ~~redistribution~~ to other eligible nonprofit scholarship-funding  
1447 organizations to provide scholarships for eligible students. All  
1448 transferred funds must be deposited by each eligible nonprofit  
1449 scholarship-funding organization receiving such funds into its  
1450 scholarship account. All transferred amounts received by any  
1451 eligible nonprofit scholarship-funding organization must be  
1452 separately disclosed in the annual financial audit required  
1453 under subsection (6).

1454 Section 7. Paragraph (aa) is added to subsection (4) of  
1455 section 1009.971, Florida Statutes, to read:

1456 1009.971 Florida Prepaid College Board.—



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1457 (4) FLORIDA PREPAID COLLEGE BOARD; POWERS AND DUTIES.—The  
1458 board shall have the powers and duties necessary or proper to  
1459 carry out the provisions of ss. 1009.97-1009.988, including, but  
1460 not limited to, the power and duty to:

1461 (aa) Adopt rules relating to the purchase and use of a  
1462 prepaid college plan authorized under s. 1009.98 or a college  
1463 savings plan authorized under s. 1009.981 for the Florida  
1464 Personal Learning Scholarship Accounts Program pursuant to s.  
1465 1002.385, which may include, but need not be limited to:

1466 1. The use of such funds for postsecondary education  
1467 programs for students with disabilities;

1468 2. Effective procedures that allow program funds to be  
1469 used in conjunction with other funds used by a parent in the  
1470 purchase of a prepaid college plan or a college savings plan;

1471 3. The tracking and accounting of program funds separately  
1472 from other funds contributed to a prepaid college plan or a  
1473 college savings plan;

1474 4. The reversion of program funds, including, but not  
1475 limited to, earnings from contributions to the Florida College  
1476 Savings Plan;

1477 5. The use of program funds only after private payments  
1478 have been used for prepaid college plan or college savings plan  
1479 expenditures;

1480 6. Contracting with each eligible nonprofit scholarship-  
1481 funding organization to establish mechanisms to implement s.  
1482 1002.385, including, but not limited to, identifying the source

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1483 of funds being deposited in the plans; and

1484 7. The development of a written agreement that defines the  
1485 owner and beneficiary of an account and outlines  
1486 responsibilities for the use of the advance payment contract  
1487 funds or savings program funds.

1488 Section 8. Subsection (11) is added to section 1009.98,  
1489 Florida Statutes, to read:

1490 1009.98 Stanley G. Tate Florida Prepaid College Program.—

1491 (11) IMPLEMENTATION PROCEDURES.—

1492 (a) A prepaid college plan may be purchased, accounted  
1493 for, used, and terminated as provided in s. 1002.385.

1494 (b) A qualified beneficiary may apply the benefits of an  
1495 advance payment contract toward the program fees of a program  
1496 designed for students with disabilities conducted by a state  
1497 postsecondary institution. A transfer authorized under this  
1498 subsection may not exceed the redemption value of the advance  
1499 payment contract at a state postsecondary institution or the  
1500 number of semester credit hours contracted on behalf of a  
1501 qualified beneficiary. A qualified beneficiary may not be  
1502 changed while a prepaid college plan contains funds contributed  
1503 under s. 1002.385.

1504 Section 9. Subsection (10) is added to section 1009.981,  
1505 Florida Statutes, to read:

1506 1009.981 Florida College Savings Program.—

1507 (10) IMPLEMENTATION PROCEDURES.—

1508 (a) A college savings plan may be purchased, accounted

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1509 for, used, and terminated as provided in s. 1002.385.

1510 (b) A designated beneficiary may apply the benefits of a  
1511 participation agreement toward the program fees of a program  
1512 designed for students with disabilities conducted by a state  
1513 postsecondary institution. A designated beneficiary may not be  
1514 changed while a college savings plan contains funds contributed  
1515 under s. 1002.385.

1516 Section 10. For the 2016-2017 fiscal year:

1517 (1) The sum of \$71.2 million in recurring funds from the  
1518 General Revenue Fund is appropriated to the Department of  
1519 Education for scholarship awards under the Personal Learning  
1520 Scholarship Accounts Program. In addition to the funds  
1521 appropriated for the scholarship awards, the sum of \$2,136,000  
1522 in recurring funds from the General Revenue Fund is appropriated  
1523 to the Department of Education for reasonable and necessary  
1524 administrative expenses for each scholarship-funding  
1525 organization's management and distribution of scholarship awards  
1526 under the program; however, the amount paid to each scholarship-  
1527 funding organization may not exceed 3 percent of the amount of  
1528 each scholarship award.

1529 (2) The sum of \$14 million in recurring funds from the  
1530 General Revenue Fund is appropriated to the Department of  
1531 Education for incentive payments for the Standard Student Attire  
1532 Incentive Program.

1533 (3) The sum of \$8 million in recurring funds from the  
1534 General Revenue Fund is appropriated for the Florida

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1535 Postsecondary Comprehensive Transition Program to be  
1536 administered by the Florida Center for Students with Unique  
1537 Abilities at the University of Central Florida, as follows:

1538 (a) The sum of \$1.5 million shall be provided to the  
1539 Florida Center for Students with Unique Abilities for costs  
1540 solely associated with the center serving as the statewide  
1541 coordinating center for the program.

1542 (b) The sum of \$3 million shall be distributed for startup  
1543 and enhancement grants to eligible institutions pursuant to s.  
1544 1004.6495(5)(b)5., Florida Statutes.

1545 (c) The sum of \$3.5 million shall be distributed as  
1546 Florida Postsecondary Comprehensive Transition Program  
1547 scholarships for students who are enrolled in eligible programs.

1548 Section 11. This act shall take effect July 1, 2016.