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

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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337 academic year immediately following the academic year during
 338 which the approval is granted. An eligible institution must
 339 submit a renewal application to the center no later than 3 years
 340 following the year during which the approval is initially
 341 granted.

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

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

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

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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

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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

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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.

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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.

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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:

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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
 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

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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

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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

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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;;
576 a school district technical center;; a school district adult

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

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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

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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

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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~~

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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.

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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.

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.

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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
 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.

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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:

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~~

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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

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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~~

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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.c.~~ 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~~

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PCB EDAS 16-01CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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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
 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.

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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-
 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

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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

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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 (5);
 923 the types of providers of services to students;~~7~~ and any other
 924 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.-

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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

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961 subsection.

962 3. May recover unexpended program funds or withhold
 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,

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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

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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.~~

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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~~

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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

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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

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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
 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

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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

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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.—

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

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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
 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

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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:

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

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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

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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

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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.

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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

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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
 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

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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
 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

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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
 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.

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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
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

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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.

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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.—

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.

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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
 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,

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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
 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

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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
 1535 Postsecondary Comprehensive Transition Program to be
 1536 administered by the Florida Center for Students with Unique

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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.